

# Sexual and Gender-Based Violence in the Kivu Provinces of the Democratic Republic of Congo: Insights from Former Combatants

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# EXECUTIVE SUMMARY

## Background

The Kivu regions have a long history of occupations by colonial and other external armed forces, and intertribal fighting. Following the Rwandan genocide in 1994, at least one million people fled to Eastern Zaire (today's Democratic Republic of Congo/DRC). In reaction to the creation of political and military organizations in Rwandan refugee camps in the Kivu provinces close to the Rwandan borders, Rwandan and Ugandan armies entered the DRC in November 1996 along with, and in support of, Laurent Desirée Kabila, launching the First Congo War, which formally ended in 1998. The Second Congo War, also known as Africa's Great War, was waged from August 1998 to December 2002. This war was formally brought to an end with the signing of the Lusaka Peace Accord in 1999. In 2000, a UN mission, *Mission de l'Organisation des Nations Unies en République démocratique du Congo* (MONUC), was deployed to the DRC. Despite the significant UN presence, multiparty elections held in 2006, the Goma peace agreements of 2008 and 2009, and the signing of the "Peace, Security and Cooperation Framework for the DRC and the Region" in February 2013, fighting among various armed groups (AG) and forces continues in Eastern DRC.

In order to conceptualize the character of Sexual and Gender-Based Violence (SGBV) in the DRC global and local aspects need be taken into account: the context of violence perpetrated against civilians during any modern warfare, potential differences in sexual violence compared to other conflicts, and the development of cruelty and violence in individuals and groups.

Mass rape during armed conflict gained attention during the war in the former Yugoslavia (Henry, Ward, and Hirschberg, 2004; Lindsey, 2002; Mezey, 1994; Weitsman, 2008). Since then it has been studied retrospectively for major wars (such as World War II) and armed conflict worldwide (Penn and Nardos, 2003). Though sexual violence in both times of war and peace is commonly underreported, it is clear that mass rape is causing tremendous suffering in today's armed conflicts. Stories emerging from the Eastern DRC, for example, have spurred international outcry. Although not exclusively, wartime rape mostly affects girls and women, causing them lifelong physical and psychological suffering (Watts and Zimmerman, 2002). Mental health problems are a major source

of malfunctioning in populations that have suffered war and conflict (Schauer and Schauer, 2010), but are still largely neglected by humanitarian and development aid. Sexual violence has particularly dramatic consequences for survivors' psychosocial, intellectual, and economic functioning, and impairs social and economic postwar recovery—at both individual and community level.

During war and conflict, two main types of rape can be differentiated. The first type of rape is commonly used in almost any war. The offences are personally planned and executed, either by single men or small groups. They are perceived as the "right of the victor" and are frequently tolerated by the superior authority. The second type of rape concerns an integral part of military strategy. The widespread rape in the DRC has frequently been described as resulting from such a strategy, or as a "weapon of war", used by diverse parties (Human Rights Watch, 2002; Longombe, Claude, and Ruminjo, 2008; Omanyondo Ohambe, Bahananga Muhigwa, and Wa Mamba, 2005). As such, this type of rape is used to intimidate and ultimately destroy the targeted group. It aims to destroy existing family structures, particularly in societies with a strong patriarchal organization.

Prior research on SGBV has almost exclusively focused on survivors. Increasingly, researchers and practitioners agree that to effectively address SGBV, a better understanding of the underlying causes of SGBV, including why perpetrators commit SGBV, is required. However, evidence-based research of the possible motives behind the use of sexual violence, as perpetrated by various AG in the DRC, is scarce.

Psychological dimensions of the dynamics behind the extremely brutal forms of SGBV committed in the DRC also remain poorly understood. In preceding studies, researchers found evidence that, on the individual level, perpetrating violence can be experienced as rewarding, even as fascinating and appetitive (Elbert, Weierstall, and Schauer, 2010). Hence, perpetrating violence has the potential to be a self-rewarding experience, subsequently feeding a lust to commit more violence over time. And increasingly more brutal forms of SGBV trigger positive feedback cues, and perpetrators crave the positive feelings attached to committing violence.

Another factor that must be considered in developing an explanation for SGBV is the incidence and effect of sub-



stance use or abuse. Some studies have found that substance use or abuse which seems to heighten the level of aggression and brutality among combatants is a method for combatants to cope with their own trauma-related symptoms (Gear, 2002; Odenwald and others, 2009). At the same time, drugs lower the threshold for committing violent offenses.

## Objectives

Motivations behind the extreme brutality used in many cases of rape in the context of armed conflict in the DRC remains poorly understood and under-researched. This study has been conducted in partnership with the NGO *vivo international*, to determine individual motivations, as well as strategic or tactical aspects of gender-based violence of different armed groups and their leadership. The key research questions for the study are: (i) Why is the violence directed against women and girls so exceedingly brutal/cruel? (ii) What motivates combatants to perpetrate the most brutal forms of gender-based violence? (iii) Is gender-based violence employed strategically by any of the investigated armed groups? Do hierarchies, incentives, punishments or direct orders play a role? (iv) If gender-based violence is employed strategically by any of the investigated armed groups, what are the strategic and / or tactical goals? and (v) How do individual motivational and strategic factors interact to perpetrate gender-based violence? The results of the study will contribute to the development of programs which aim to break the ongoing cycles of violence.

## Methodology

A total of 213 ex-combatants were interviewed, either in the United Nation's Disarmament, Demobilisation and Reintegration/Resettlement and Reintegration (DDR/RR) camp, or at the *Equipe d'Education et d'Encadrement des Traumatisés de Nyiragongo* (ETN) Center, a reintegration center for war-affected youth, dealing with Congolese former child soldiers and ex-combatants. All interviewees recently left their AG. International clinical experts carried out structured interviews with the help of interpreters from the DRC. This effective collaboration with MONUSCO in Goma made this study possible.

## Profile of ex-combatants interviewed

Ex-combatants interviewed belonged to 16 different AG or forces including, among others, *Forces Démocratiques pour la Libération du Rwanda* (FDLR), Mai-Mai groups, *Congrès National pour la Défense du Peuple* (CNDP), *Patriotes Résistants Congolais* (PARECO), and a small sample from the national army. Close to 40 per-

cent of those interviewed had changed from one AG to another at least once. While the educational background of interviewees is weak overall (average number of years of education is 5 and 29 percent are illiterate), at least 14 percent of interviewees spent 10 years or more in school. The majority (64 percent) started as child soldiers under the age of 18. More than half of all interviewees reported to have been forced to join an AG in the first place; levels of forced recruitment are the highest for CNDP and FDLR. For those who had not been physically forced into recruitment, there are multiple reasons for their recruitment, including self-defense or peer pressure. Political motivations are high on the agenda of those who joined a group that believes it has a political legitimacy for its actions, such as FDLR. Participants ranged from former supporters to colonels: 5 percent supporters, 53 percent soldiers, 22 percent non-commissioned officers, and 20 percent officers. Alcohol and marijuana were the main substances consumed or abused and consumption rates reported exceeded 50 percent. Traditional local drugs were also used.

## Key findings

Ex-combatants reported extreme levels of exposure to traumatic events. Almost all had witnessed killings, physical assaults, and had been physically assaulted themselves. Reports on traumatic events also provide evidence of the strict command chain within the AG, as many ex-combatants reported being coerced by threat of death or injury. Out of 23 traumatic event types, 90 percent of the participants had experienced more than 10 different traumatic event types, and 58 percent more than 15. Almost one quarter exhibited clinical symptoms severe enough to qualify for diagnosis of Post-Traumatic Stress Disorder (PTSD) with its related disability for proper psycho-social functioning, and would require specialized psychological treatment.

Almost all participants reported having been a perpetrator of violence and committed armed physical assaults. One quarter took part in the massacres of civilians and 66 percent had witnessed such events. Furthermore, at least 1 out of 10 reported having perpetrated sexual violence, 8 percent reported having eaten human flesh, and one quarter had observed others eating human flesh.

Reasons given for the brutal forms of violence perpetrated include revenge, wanting to harm the enemy, punishment, or unspecified reasons (such as during lootings), with significant differences between AG. In general, participants had little or no concept of what constitutes a civilian, or made no distinction between armed enemies and a population affiliated to them.

A significant proportion of former combatants reported high levels of appetitive aggression. They reported enjoying fighting and liking to see their victims suffer, feeling satisfaction when harming others (44 percent), having an urge to fight (35 percent), and finding it difficult to resist being aggressive (40 percent). These former combatants clearly not only became used to violence, but over time came to enjoy it and developed a need to be increasingly cruel. Almost 1 out of 10 ex-combatants described combat and attacking others as sexually arousing. Furthermore, former higher ranking ex-combatants reported more frequently that it is difficult to stop fighting once it starts. They not only fought other combatants or attacked civilians to achieve specific aims, but also for the pleasure of a man-hunt, which includes injuring enemies and victims.

High numbers of former combatants reported having received orders to commit violence against civilians, with almost 9 out of 10 respondents having received orders to loot civilians, 8 out of 10 to attack settlements, and 6 out of 10 to burn houses. Overall 13 percent reported that they had received orders to rape. The Maï-Maï and PARECO officers reported more frequently than soldiers to have received orders to rape, and CNDP and FDLR soldiers reported to have received such orders more often than officers.

When asked about their explanations and opinions about the causes for SGBV in Eastern DRC, the most common opinions given by ex-combatants are that: (i) combatants get out of control (82 percent); (ii) it happens when combatants are in small groups – gang rape (55 percent); (iii) because of frustration (54 percent); and (iv) revenge (41 percent). Furthermore, about one-third agreed that the absence of a wife, proving manhood, and having the opportunity to commit a violent act without punishment from the leadership are reasons for SGBV. Overall, more than one quarter agreed that violence against women happens, because combatants / soldiers are ordered to do it. The lowest level of agreement to this statement was found amongst former *Forces Armées de la République Démocratique du Congo* (FARDC) soldiers (11 percent) and former PARECO combatants (15 percent). Thirty percent of former Maï-Maï fighters and 43 percent of both former FDLR and CNDP combatants agreed with the statement.

Concerning the most brutal forms of sexual violence, such as gang rapes, the insertion of objects, burnings, mutilations, and killings, ex-combatants identified numerous reasons. Among these, the use of marijuana was frequently cited as a factor. Other responses were the resistance of the victim or the desire to silence them after

they had been violated. A further important motivation for excessive sexual violence offered by our respondents goes beyond individual motives. They suggested that the intention in these cases is to harm “the enemy” as a group. It is important to keep in mind that combatants and soldiers in this study make no clear distinction between combatants and civilians, but rather identify who is “with us or against us.” Hence, civilians associated with the enemy are not perceived as civilians but as enemies.

## Conclusions

A number of inter-related reasons for violence committed by combatants and soldiers were identified. Central is the human potential for developing a pleasurable perception when perpetrating violence, an act that becomes rewarding in itself and reinforces on its own violent behavior under lawless circumstances, in concert with the concept of ‘appetitive aggression’. Many former combatants reported that they perceive perpetrating violence as arousing and fascinating and the experience of living in a violent environment such as in an AG may increase the level of appetitive aggression. Appetitive aggression in this sense appears to be adaptive in combat and rewarding for combatants (Elbert and others, 2010). This is also confirmed by the observed clear relationship between higher ranks and increased levels of this form of aggressive behavior.

The violent context fosters sexual violence, supported by individual motivations such as the need to fulfill sexual desire. In addition, there are underlying strategic (e.g., gain of political attention), tactical (e.g., facilitating lootings), as well as overlapping strategic and tactical (e.g., control of civilians) aspects of SGBV in Eastern DRC.

It is unclear to what extent these reasons are put forward as justification for brutal sexual excess. The FDLR, CNDP, and Maï-Maï ex-combatants often reported that sexual violence happens because soldiers are ordered to do it. In addition, a sizeable proportion reported that the absence of punishment was a reason for perpetrating SGBV. Thus, explicit and implicit orders for sexual violence seem to be common throughout the AG in Eastern DRC.

Furthermore, ex-combatants were not only perpetrators of violent acts, they were also victims of violence themselves, resulting in one quarter of former combatants suffering from PTSD. At least 1 in 10 ex-combatants reported having been sexually assaulted/raped in their AG (frequently by their own commanders). The possible effects of simultaneously being a survivor and perpetrator of sexual violence require further exploration.

In summary, individual motives of perpetrating SGBV are closely interrelated with tactical and strategic motives of armed groups which reinforce each other.

## Recommendations

Obviously, ending the period of conflict, violence and insecurity in Eastern DRC would contribute tremendously to addressing the high levels of ongoing SGBV. This requires, among others, addressing the social and economic drivers of conflict and instability which are historically deep-rooted, and driven by a complex mix of political, security, social and economic factors (World Bank, 2013).

Also, it is widely recognized that SGBV is a complex problem requiring an integrated and multi-sectoral response, even more so in a fragile environment with ongoing conflict, such as in Eastern DRC. Responses to violence against women need to address, among others: health sector including physical and mental health issues, the criminal-justice sector, economic empowerment, community development (promoting equitable access to resources for women and men), prevention of violence (e.g., through formal and informal education), and advocacy at the community, national and international levels. Any effective response must combine enforcing laws and prosecuting perpetrators to break the cycle of impunity, while addressing the individual and societal wounds, and working to prevent a normalization and recurrence of sexual violence.

The following recommendations are related to the findings of this study and focus especially on the perpetrator side of SGBV.

- **Address the impunity issue.** Strengthen the judicial system in the DRC to apprehend and prosecute perpetrators and to effectively implement the 2006 Law on Sexual Violence, which broadened the definition of sexual assault and toughened punishment for convicted offenders. Successfully prosecuting cases of high level perpetrators would send strong signals to state and non-state armed combatants. In addition, develop improved mechanisms to collect (forensic) evidence of SGBV to facilitate international, regional and national efforts to prosecute perpetrators.
- **Include screening mechanisms for mental health issues in reintegration programs.** Reintegration programs for ex-combatants, either into the national army, or as civilians into society, should screen former combatants for trauma symptomatology, including PTSD. Programs should provide treatment following a needs assessment. In addition, specific criteria for exclusion should be included in those programs that facilitate reintegration of former combatants into the national army. For example, former combatants suffering from PTSD or appetitive aggression should not be reintegrated into a national army.
- **Break the cycles of violent behavior of former combatants.** Develop approaches to reinstate social norms of nonviolent interaction for former combatants impaired by trauma-related disorders such as PTSD or aggressive patterns of behavior. These approaches should provide former combatants with tools to remain calm in stressful situations, to plan and follow-up on realistic goals for the future as well as to initiate and sustain non-violent relationships. These approaches would combine therapy targeting symptoms of post-traumatic stress, as well as tendencies towards violent behavior. As Ms. Zainab Hawa Bangura, UN Special Representative of the Secretary-General on Sexual Violence, states there is a need to also “mentally disarm former combatants”.
- **Safeguard against (re-)recruitment.** Strengthen information, sensitization, and awareness activities to prevent (re)-recruitment of combatants and violence. Educate at-risk populations (including parents and the wider community) about the negative consequences of joining an AG, including informing them of the use of false propaganda by many AG. Former combatants could speak out publicly about their traumatic experiences, including sexual violence within AG. These efforts should include, among others, the national government of the DRC, as well as local government, international actors and development partners, local communities, violent actors, and victims’ associations and representatives.
- **Dismantle the perception of civilians as “enemy”.** Support programs focused on rebuilding trust within communities and between communities and the state to address intercommunity hatred and build/restore social cohesion through broad based community development programs. At the same time, reconsider current civilian protection programming in light of the findings that all civilians are perceived as enemies if not collaborating with AG perpetrators.
- **Include men in programs addressing SGBV.** Increase understanding at the international, regional, national and community level for the need to include men in programs addressing SGBV. These



programs must acknowledge men's multiple roles as perpetrators as highlighted through this study, but also as witnesses to SGBV, victims of sexual violence, service providers (e.g., health workers, police, peace-keepers and other workers in demobilization and reintegration initiatives), decision-makers and policymakers, and change agents. Including men in programs addressing SGBV is especially important for prevention.

- **Support SGBV prevention.** This will require broader actions to raise the status of women in the

DRC, such as strengthening their legal capacity and property rights, improving their access to land and economic resources, building their human capital through education and skills development, easing their overall workloads, and channeling resources to them in the agricultural sector. In addition, these efforts should include sensitization against SGBV among AG, as well as improving discipline and attitudes with regards to civilians, especially vis-à-vis women, and strengthening implementation of a code of conduct among the FARDC regarding SGBV.



# ABBREVIATIONS

AAS	Appetitive Aggression Scale
AG	Armed Groups
ADF	Allied Democratic Forces
AFDL	Alliance des Forces Démocratiques pour la Libération du Congo-Zaïre
ALIR	Armée de Libération du Rwanda
ANC	Armée Nationale Congolaise
AN-Imboneza	Armée Nationale-Imboneza
APCLS	Armée de Peuple pour un Congo Libre et Souverain
APR	Armée Patriotique Rwandaise
BCC	Behavioral Change Communication
CBR	Centre de Brassage et de Recyclage
CMDP	Conseil Militaire pour la Défense du Peuple
CNDP	Congrès National pour la Défense du Peuple
CNKi	Comité National du Kivu
CPCS	Centre for Peace and Conflict Studies
CRAP	Commandos de Recherche et d'Action en Profondeur
CTO	Centre de Transit et Orientation
D & R	Demobilisation and Reintegration
DDR	Disarmament, Demobilisation and Reintegration
DDRRR	Disarmament, Demobilisation, Repatriation, Rehabilitation and Reintegration
DRC	Democratic Republic of Congo
DSM	Diagnostic and Statistical Manual for Mental Disorders
ETN	Equipe d'Education et d'Encadrement des Traumatisés de Nyiragongo
EUSEC	Mission de conseil et d'assistance de l'Union européenne en matière de réforme du secteur de la sécurité en République démocratique du Congo (RDC) ("EUSEC RD Congo")
FAC	Forces Armées Congolaises

FAG	Foreign Armed Group(s)
FAR	Forces Armées Rwandaises
FARDC	Forces Armées de la République Démocratique du Congo
FDD	Forces de Défense de la Démocratie (Burundi)
FDLR /FOCA	Forces Démocratiques pour la Libération du Rwanda / Forces combattants Abacunguzi
FDN	Force de Défense Nationale
FIB	Force Intervention Brigade
FNL	Forces Nationales pour la Libération
FPC	Front des Patriotes pour le Changement
FPLC	Force Populaire de la Libération du Congo (of Thomas Lubanga in Ituri)
FPLC	Forces Patriotique pour la Libération du Congo (of Gad(i) in N-Kivu)
FRF	Forces Républicaines Fédéralistes
GBV	Gender-Based Violence
GLR	Great Lakes Region
GoDRC	Government of the Democratic Republic of Congo
ICC	International Criminal Court
LNC	Logistique Non Conventionnelle
LRA	Lord's Resistance Army
MDRP	Multi Country Demobilization and Reintegration Program
MLC	Mouvement pour la Libération du Congo)
MONUC	Mission de l'Organisation des Nations Unies en République démocratique du Congo
MONUSCO	Mission de l'Organisation des Nations Unies pour la stabilisation en République démocratique du Congo
NALU	National Army for the Liberation of Uganda
NCL	Non Conventionnel Logistics
NCO	Non-Commissioned Officer
NDC	Nduma défense du Congo
NGO	Non Gouvernemental Organization
PALIR	Peuple en Arme pour la Libération du Rwanda



PARECO/FAP	Patriotes Résistants Congolais / Forces Armées Populaire
PNDDR	Programme Nationale de Désarmement, Démobilisation et Réinsertion D.R.Congo
PNC	Police Nationale Congolaise
PSS-I	Symptom Scale-Interview
PTSD	Post-Traumatic Stress Disorder
RCD	Rassemblement Congolais pour la Démocratie
RDF	Rwandan Defence Force
RDR	Rassemblement pour le Retour des Réfugiés et de la Démocratie au Rwanda
RPR	Rassemblement Populaire Rwandais
RPA	Rwandan Patriotic Army
RPF	Rwandan Patriotic Front
RUD	Ralliement pour l'Unité et la Démocratie Urunana
SD	Standard Deviation
SGBV	Sexual and Gender-Based Violence
SMI	Structure Militaire d'Intégration
SNPC	Synergie Nationale pour la Paix et la Concorde
SSR	Security Sector Reform
STAREC	Stabilisation and Reconstruction of Former Armed Conflict Areas in Eastern Congo
TDRP	Transitional Demobilization and Reintegration Program
UNHCR	United Nations High Commissioner for Refugees
UN	United Nations
UNDP	United Nations Development Program
UNSC	United Nations Security Council
UPC	Union des Patriotes Congolais

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# 1 INTRODUCTION

**M**otivations behind the extreme brutality used in many cases of rape in the context of armed conflict in the Democratic Republic of Congo (DRC) remains poorly understood and under-researched. This study has been conducted in partnership with the NGO *vivo international*, to determine individual motivations, as well as strategic or tactical aspects of sexual violence of different armed groups and their leadership. The key research questions for the study are: (i) Why is the violence directed against women and girls so exceedingly brutal/cruel? (ii) What motivates combatants to perpetrate the most brutal forms of gender-based violence? (iii) Is gender-based violence employed strategically by any of the investigated armed groups? Do hierarchies, incentives, punishments or direct orders play a role? (iv) If gender-based violence is employed strategically by any of the investigated armed groups, what are the stra-

tegic and / or tactical goals? and (v) How do individual motivational and strategic factors interact to perpetrate gender-based violence? The results of the study will contribute to the development of programs which aim to break the ongoing cycles of violence.

The following chapter discusses the context, including conceptual background, existing literature on the subject of SGBV, the history of AG violence in the affected region, and factors that may have contributed to the current situation, in which rape and other forms of violent sexual behavior seem endemic. Chapter 3 describes the research methodology. The main body of the study discusses the findings from semi-structured interviews administered by a team of clinical psychologists for this study. The last two chapters summarize the main findings of the study, followed by recommendations.

# 2 BACKGROUND

## 2.1 Conceptual Background

The particular character of sexual and gender-based violence (SGBV) in the Democratic Republic of Congo (DRC) must be understood in the context of violence perpetrated against civilians during any armed conflict as well as in comparison to sexual violence in other conflicts and in the larger context of violence in general. The term SGBV as it is used here includes rape, mass rape, gender-based torture, and any other act of violence of a sexual or gender-based nature that appears to be closely associated with the armed conflict in the DRC. SGBV in the DRC must also be understood in the context of seemingly indiscriminate violence perpetrated among a confusing array of armed groups (AG) whose identities and loyalties shift and change with bewildering speed. This paper examines individual motivations and external causes of SGBV using data from a series of interviews with suspected perpetrators conducted in the DRC in 2011. The paper will also discuss contextual conditions that may have an influence on the incidence and severity of SGBV in the Eastern DRC.

### 2.1.1 Indiscriminate Violence

Between 2000 and 2009, 12 major armed conflicts occurred on the African continent alone. During the same decade 30 major armed conflicts were recorded worldwide by the Stockholm International Peace Research Institute (Harbom and Wallensteen, 2010). An authoritative study comparing civilian and military death rates in all wars and civil conflicts during the last half of the 20th century cited a figure of just under 41 million dead (Leitenberg, 2006: Table 2). Leitenberg estimates numbers of civilian deaths by conflict, and makes clear that certain types of conflict generate extraordinarily high ratios of civilian to military deaths (Leitenberg, 2006: 86–89). Often, violence against civilians appears to be committed at random—without discriminating enemies from civilians or other clear criteria affecting the decision to harm. In other words, anyone could be a target. The random character of indiscriminate violence magnifies the feeling of terror experienced by those affected. In most recent conflicts in Africa, leaders of warring factions largely rely on irregular forces, forced recruitment, and the use of terror to gain and maintain control over both civilian populations and their own fighting forces.

Some sources suggest that apparently indiscriminate violence against civilians, including mass rape and sexual torture, are neither an exception nor a side effect in these so-called “new wars” (Kaldor, 2004) or “complex political emergencies” (Ramsbotham and Woodhouse, 1999) but, rather, the *modus operandi* by which armed conflicts are fought. Terror has become an essential part of conflict strategy. Against this backdrop, this study analyzes to what extent SGBV is used intentionally as a means of warfare in the Eastern DRC, and to what extent it is instrumental to the tactical or strategic objectives of particular AG.

While humanitarian disasters caused by indiscriminate violence are usually readily apparent and widely agreed to be a direct result of violent conflict, conflict-resolution scholars have tried to explore the conditions under which this violence emerges and is sustained, as well as the purposes it might serve. For instance, Weinstein argues that violence is used in “opportunistic rebellions” to gain access to easily transportable natural resources such as gold, coltan, diamonds, or timber. Here combatants are not concerned with gaining sympathy or support from the population; instead, they use indiscriminate violence simply because it is the easiest and most cost-effective way of controlling civilian populations that might interfere or be in the way (Kalyvas, 2006; Penn and Nardos, 2003; Weinstein, 2007). On the other hand, Kalyvas (2006) argues that even rebellions with ideological agendas may use indiscriminate violence to deter the population from collaborating with enemy combatants.

### 2.1.2 Rape during Armed Conflict as a Global Phenomenon

Mass rape during armed conflict gained recent attention during the war in the former Yugoslavia (Henry, Ward, and Hirshberg, 2004; Lindsey, 2002; Mezey, 1994; Weitsman, 2008). Since this conflict it has been studied retrospectively for major wars (such as World War II) and armed conflict worldwide (Penn and Nardos, 2003).

Between 1991–2003 Green (2004) listed 24 armed conflicts in which girls and women were raped on a mass scale (Wood, 2009). Though sexual violence in both times of war and times of peace is commonly underreported (Watts and Zimmerman, 2002) and epidemiological studies remain rare, it is clear that mass rape is causing tremendous suffering in today’s armed conflicts;



stories emerging from the Eastern DRC, for example, have spurred international outcry. Although not exclusively, wartime rape mostly affects girls and women, causing them lifelong physical and psychological suffering. In addition to the damage to its individual victims, rape often destroys families and larger social networks as well as individual economic capacities (Turshen, 2001). Although still largely neglected by emergency and humanitarian aid interventions, mental health problems are a major source of malfunctioning in populations that have suffered war and conflict (Schauer and Schauer, 2010). Sexual violence has particularly dramatic consequences for survivors' psychosocial, intellectual, and economic functioning, and impairs social and economic postwar recovery—both on individual and community levels. Sexual violence destroys the social fabric and economic basis of entire regions and displaces masses of people on a continuous basis (Schalinski, Elbert, and Schauer, 2011).

Since 2000 the United Nations (UN) have paid increasing attention to sexual violence related to armed conflict. In particular, the UN Security Council Resolutions 1325 (UNSC, 2000) and 1820 on Women, Peace and Security: Sexual Violence in Armed Conflict (UNSC, 2008) state that armed conflict exposes women to increased levels of rape and is a major threat to women's physical integrity and human rights. The United Nations Security Council (UNSC) particularly condemned the widespread rape of girls and women during recent conflicts in Afghanistan, Burundi, Chad, Côte d'Ivoire, Sudan, and the DRC. It has implicated both state and non-state AG as perpetrators of rape and sexual abuse (UN, 2004).

During war and conflict, two main types of rape can be differentiated. The first type of rape is commonly used in almost any war. The offences are personally planned and executed, either by single men or small groups. They are perceived as the "right of the victor" and are frequently tolerated by the superior authority. The second type of rape concerns an integral part of the military strategy. The widespread rape in the DRC has frequently been described as resulting from such a strategy, or as a "weapon of war", used by diverse parties (Human Rights Watch, 2002; Longombe, Claude, and Ruminjo, 2008; Omanyondo Ohambe, Bahananga Muhigwa, and Wa Mamba, 2005). As such, this type of rape is used to intimidate and ultimately destroy the targeted group. It aims to destroy existing family structures, particularly in societies with a strong patriarchal organization.

The UNSC condemns the use of rape as a "weapon of warfare" (UN, 2000) and describes it as a "tactic of war to humiliate, dominate, instill fear in, disperse and/or forcibly relocate civilian members of a community or

ethnic group" (UNSC, 2008). This statement reflects the wide consensus among scholars and human rights activists that rape during armed conflict is neither a side effect of, nor an adjunct to large-scale violence, but an inherent part of it that calls for collective, determined action.

But labeling rape as a weapon presumes that mass rape is systematic, deliberate, and serves one or more specific purposes. There is, however, little evidence-based research to support this presumption.

Skjelsbaek (2001) suggests specific intentions behind mass rape and explicitly cites the infliction of trauma and psychological damage as one important objective of this practice. Reports from the Sierra Leone Truth Commission (Truth and Reconciliation Commission of Sierra Leone, 2004) and research on the former Yugoslavia (Mezey, 1994; Warburton, 1993) conclude that mass rape during conflicts in these places followed distinct patterns and served strategic purposes. Salzman (1998) alleges that the Serb army followed a written plan, the RAM plan, that spelled out the use of rape to "cleanse" Bosnia-Herzegovina along ethnic lines.

In the same vein, widespread rape in the DRC has frequently been described as a weapon of war used by diverse parties (Human Rights Watch, 2002; Longombe, Claude, and Ruminjo, 2008; Omanyondo Ohambe, Bahananga Muhigwa, and Wa Mamba, 2005).

But evidence-based research of the possible motives behind the use of sexual violence, as perpetrated by various AGs in the DRC, is rare. Reasons for the brutal levels of SGBV in the DRC have not been fully investigated; therefore, attempts to explain it often rely on untested assumptions and speculation. Research in this field is needed but, for reasons that should become clear in this report, is difficult to conduct.

Current assumptions about root causes of the extreme levels of SGBV in the DRC remain controversial as well. On the one hand, perpetrators are portrayed as subhuman monsters whose behavior simply cannot be understood. On the other hand, it has been suggested that leaders of AG either give direct orders to perpetuate SGBV or at least see the SGBV committed by their combatants as a means to achieve strategic and/or tactical goals—and, thus, a "weapon of war." Since there is little evidence to substantiate whether SGBV is committed at the whim of individuals or within a larger strategic plan, both ideas continue to stand as untested assumptions.

### **2.1.3 Potential Motives of Sexual Violence**

A number of reasons behind the use of SGBV in the DRC have been postulated. For example, one explanation is

that the leaders of AGs have become increasingly aware of international norms against indiscriminate violence (war crimes and crimes against humanity), and thus use rape deliberately to spur outrage and thus gain international political attention. Alternatively, SGBV perpetrated by AG in the DRC could be a deliberate communication strategy to deter the international community from supporting military actions directed against these AG by demonstrating that they hold civilians hostage. Further, it is possible that each AG that uses systematic rape does so to emasculate opposing factions or simply terrorize civilians. Unfortunately, each of these hypotheses needs testing to avoid attributing incorrect motives to actors who may have other aims in mind. Suffice it to say that the possible strategic motives of SGBV, particularly at the leadership level, remain unclear.

Also unclear is the motivation of individual combatants who perpetrate SGBV. Most of the research currently available has focused on survivors of SGBV, yet their testimonies rarely permit insight into the perpetrators' minds. Faced with the compelling need to intervene on behalf of survivors, there is an obvious need for better evidence-based research to understand the motivations behind SGBV in the DRC.

The psychological dimensions of the dynamics behind the brutal SGBV committed in the DRC also remain poorly understood. In preceding studies *vivo international* found preliminary evidence that, on the individual level, perpetrating violence can be experienced as rewarding, even as fascinating and appetitive (Elbert, Weierstall, and Schauer, 2010). *Vivo's* studies in the DRC (Weierstall and others, in press), Uganda (Weierstall and others, 2012), and Rwanda (Weierstall and others, 2011) highlight how perpetrators of violence might experience an urge to repeatedly assault defenseless others. The suffering and struggling of the victim, his or her blood, wounds, and vocalization, as well as the aggressive act itself, provide the perpetrator with context-dependent sets of learned and inborn positive feedback cues, and thus incite further acts of brutality. Hence, perpetrating violence has the potential to be a highly self-rewarding experience, subsequently feeding a lust to commit more violence over time. Increasingly more brutal forms of SGBV then trigger positive feedback cues, and perpetrators crave the positive feelings attached to committing violence. Perpetrators in this context might seek to satisfy an inner urge to commit further gruesome forms of violence and to kill. On the basis of available research, perpetrating (sexual) violence might be regarded as an addiction-like phenomenon. Consistent with this hypothesis, a preliminary explanation can be developed around the difficulties associated with trying to disengage from

violence once it has been experienced as pleasant.

A further factor that must be considered in developing an explanation of SGBV is the incidence and effect of substance use or abuse. Some studies have found that substance use or abuse seems to heighten the level of aggression and brutality among combatants, and is at the same time a method for combatants to cope with their own trauma-related symptoms (Gear, 2002; Odenwald and others, 2009). The nature of substance use among combatants in the DRC must therefore be investigated as part of any research into SGBV.

In a previous study of AG conducted by *vivo international* (Haer and others, in press), it was noted that many combatants reported being rewarded within their group for participating in violent acts. Reward systems are complex and might vary from one AG to the other or even from commander to commander, but there were consistent reports of combatants receiving extra food, money, non-medical drugs (for example, marijuana), sexual access to women (or men), and spiritual objects (for example, holy water) for being particularly brutal. But these findings were not conclusive, and these phenomena remain poorly understood.

## 2.2 Context and Problem Statement

Sexual violence in the DRC is embedded in complex contextual factors. First, for more than two decades the Great Lakes Region has been the scene of insurgencies, rebellions, genocide, civil war, and international wars that have directly affected security in the Eastern DRC. The fighting has continued with varying degrees of intensity since 1996. For the past decade, much of this fighting has been between poorly controlled domestic AG, but has often included elements of foreign armed groups (FAG) who have, since the end of the Rwandan Genocide, actively undermined all attempts to calm the security situation. Second, while this conflict is often understood as a struggle for political power, it is fuelled by a secondary struggle for the control over natural resources that takes place within a context of extreme poverty affecting the mass of civilians and rank-and-file fighters. Third, the adverse effect of this underlying poverty is magnified by poor governance, manifested in the absence of public administration and public service delivery, especially in remote areas of the country. For example, survivors of SGBV have severely limited access to basic public services, such as health care and justice. In fact, there is no functioning judicial system in most of the country. This creates a permissive environment within which combatants, whether government soldiers or AG fighters, can perpetrate SGBV or other violence

against civilians with virtual impunity. Fourth, both AG and government forces often attack civilians rather than attacking one another. This situation is complicated by the fact that fighters and civilians are generally mixed together, particularly where AG are acting as local defense militias or where the *Forces Armées de la République Démocratique du Congo* (FARDC, the current name of the DRC army) units are stationed in settlements. In either case, fighter's families are often present within military deployment areas.

Though the primary purpose of this research is to contribute to an understanding of why fighters inflict SGBV on civilians, it should be noted that fighters are also victims—both of violence and SGBV. The magnitude of the problem is unquestionable, as is its complexity. There is little hope of understanding either individual or collective motives behind the alarmingly high levels of SGBV in the DRC without attempting to position the behavior within the host of external factors that might play a role in determining it.

The challenge taken up in this research is to investigate the motives behind SGBV behaviors without abstracting away from the actual social, political, economic, and historical circumstances in which the behaviors are embedded. The main challenge is to isolate and identify causal relations with reasonable accuracy.

Recent research explores the foundations and cultural causes of sexual violence (Muchukiwa, 2010), community perceptions, and capacities to cope with it, as well as the role of judicial systems and the state. Numbers of traditionally tolerated or sanctioned violent sexual practices are described, traditional punishments listed, and modern dynamics explored across varying ethnic or tribal backgrounds.

A recent study conducted in Goma in the Eastern DRC (Promundo, Sonke Gender Justice Network, and IMAGES, 2012) that focused on the prevalence and perceptions of SGBV in the general population found that “more than a third of the men interviewed had imposed a form of sexual violence,<sup>1</sup> and more than three quarters of them express disturbing views about rape and women's rights [...] The result shows that sexual violence is [...] often a reflection of patriarchal norms and myths about rape that the majority of men accept and value to justify and make rape normal and not to grant value to women. This gives men a sense of ownership of the female body.” It is important to keep in mind that the social environment, the

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1 Forty-eight percent in a partnership setting.

cultural norms, and the accepted perceptions of people in the Kivu regions differ substantially from, for example, western views.

Following is a brief description of the history of armed conflict in Eastern DRC, the Disarmament, Demobilization and Reintegration processes, and poverty in DRC.

### 2.2.1 Armed Conflict in the Eastern DRC<sup>2</sup>

*Man, when perfected, is the best of animals. If, however, he be isolated from the law and justice, he is the worst of all.* (Aristotle, Politics, 1253a15)

The DRC and the greater Great Lakes Region of Central Africa suffer from continuing and widespread violence inflicted by a multitude of armed actors, rendering some areas inaccessible and forcibly displacing hundreds of thousands of people internally or to neighboring countries. In part because of the tribal or ethnic dimensions of present-day conflict, it is necessary to consider, however briefly, the legacy of pre-colonial history. In our rush to look for the causes of today's battles in recent political or economic dynamics, we can easily forget that tribal tensions over land ownership, predatory behavior, and slave raiding (Thomas, 1997: 704, Wrong, 2001: 43) can be traced back more than a century. The history of wartime behavior sheds light on current accounts of human rights violations and eyewitness testimonies of recent skirmishes. Though one might be tempted to write this all off against the failure of politics to establish a fully functional institutional state in the DRC—a state with institutions that might mitigate the effects of harmful behavior—this would sidestep the problem of trying to interpret the behavior in ways that might allow effective intervention.

It would also ignore some particularly gruesome accounts of the actions of the “*Forces Publiques*”—created by explorer Henry Morton Stanley and maintained by King Leopold (“King of the Belgians”)—throughout the king's tenure as private owner of what was then known as the Congo Free State, and the possibility that the Europeans set the example for some of the behavior we now deplore (Wrong, 2001: 46). Cruel practices were reported by explorers such as Dr. Richard Kandt, a psychiatrist who traveled the western shores area of Lake Kivu in 1901. Some of his most shocking accounts of violent behavioral patterns resemble descriptions

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2 In order to understand the history of armed conflict in Eastern DRC, as well as response from participants in the study, it is important to understand the terminology commonly used related to ethnicity and tribal affiliations, which are often controversial and sensitive

of the combat-linked behavior of today's AG fighters. Kandt also provides an early account of the presence of the Kinyarwanda-speaking populations (later labeled "Rwandophones"; Kinyarwanda in the understanding of its own language is "the language and customs of the Rwandan people", while in Swahili, the common trade language of Eastern DRC, its understanding is limited to the language), inhabiting parts of present-day DRC. The "Rwandophone" population increased significantly during the 1920s and 1930s as the Belgian colonial administration encouraged large-scale migration from Rwanda and Uganda to the Kivus .

From 1964–65 there was a bloody war between Banyarwanda (meaning: "those who are Rwandan or "the Rwanda people"), who were perceived as new immigrants to Zaire (the DRC at the time), and the Hunde/Nyanga tribal groups, who believed their land and citizen rights were being threatened by the new arrivals () for the development of tribal/ethnic animosities (Annex 3). To protect their rights as Zairian citizens and for self-defense, the Banyarwanda formed a movement named Kanyarwanda (Walimba, 2009: 13; Adelman and Suhrke, 1999: 57). After a series of violent clashes that claimed numerous victims, government troops were deployed to calm the situation. This might mark the first armed conflict of this type in the Kivu Provinces in the postcolonial era. It is possible that the violence in the region today, as well as some of the particular characteristics of the present-day modes of conflict, have their origins in intertribal conflicts of the relatively unstructured pre-colonial period and continue to reflect the salience of tribal identities and age-old competitions among them. It should also be remembered that the colonial occupation of the DRC was particularly brutal and did little to build trust between the government and citizens (Wrong, 2001; Hochschild, 1998; Stearns, 2011; Davidson, 1992; Meredith, 2005).

A 2010 UN analysis of serious violence in the DRC (UNHCHR Mapping Report, 2010) provides a fair account of further recent historic developments of tribal tensions in the Eastern DRC. Annex 3 provides excerpts from this report that are germane to a clearer understanding of ex-combatants' statements referring to the driving tribal or ethnic motives behind armed conflict in the Kivu region.

To summarize relevant parts of the history of this conflict, one could say that the Kivu region has a long history of intertribal fighting, but first saw interethnic clashes in postcolonial times beginning in 1964, following a decade-long build-up of intertribal and interethnic tensions (analogical to the genocide in Rwanda). These tensions became more aggravated in 1989 as a result of

growing frustrations over contested land and citizenship rights, solidification of tribal and ethnic identity frames, and continuing ineffective governance from the capital (Stearns, 2011: 69–80). Then, following the Rwandan genocide in 1994, at least one million people fled to Eastern Zaire (today's DRC). Among the refugees were a large number of the genocide's instigators, known as the Interahamwe militia, along with the defeated *Forces Armées Rwandaises* (FAR) and significant elements of the former governmental administration. The leaders of these groups used the refugee camps not only to hide from international justice, but also to regroup and mobilize the refugee populations and militarize parts of them. Refugees themselves, as well as the parts of the apparatus of international support to refugees, became instruments in the hands of the new leaders of these groups, who were in fact well-known figures of the defeated regime (Omaar, 2009).

Interahamwe was the name of the largest militia to be implicated in the execution of the Rwandan genocide in 1994. It was created around 1988, two years after Yoweri Museveni had taken power in Uganda with strong support from exiled Rwandan Tutsi (themselves refugees of the 1959 violence in Rwanda). After the military victory by the Rwandan Patriotic Front (RPF) in July 1994, the large majority of the Interahamwe fled to the Eastern DRC (then Zaire) and to Western Tanzania, where they found they could not put down durable roots. As they attempted to reestablish themselves at the center of a militarized movement for an armed return to Rwanda, they successively formed a series of organizations with a politico-military character. The first of these was known as the *Gouvernement en exil* (GeE), which then morphed into the *Rassemblement pour le Retour des Réfugiés et de la Démocratie au Rwanda* (RDR) and then into *Peuple en Arme pour la Libération du Rwanda* (PALIR). Later, parts of this group, who have been described as politically more extreme, moved toward Western Zaire, while others stayed in the East. Those in the East founded the *Armée de Libération du Rwanda* (ALIR) in 1995 and later split up into ALIR I (West) and ALIR II (East). Parts of the group in the West founded the *Forces démocratiques de libération du Rwanda* (FDLR) in 2000 (Romkema, 2007) as a political organization,<sup>3</sup> with the *Forces Opérationnelles de Combat Abcunzi* (FOCA) as their military wing.

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3 Debelle (2012: 22). In December 2002 the FDLR steering committee, led by its president, Murwanashyaka, modified the text of the FDLR statutes to designate the rebellion a "liberation movement" instead of a "political-military organisation."



All these groups were, and remain, largely dominated by Rwandan Hutu, while they increasingly have members from other nationalities, mainly Congolese and Burundian Hutu, and to a lesser extent, from other ethnic groups. In 2004, a small number of armed combatants broke away from the FDLR/FOCA to form the *Rassemblement pour l'unité et démocratie* (RUD-Urunana); its armed wing is the Armée Nationale (AN-Imboneza). Another much smaller group, called “Soki” after the nickname of its creator,<sup>4</sup> broke off from the RUD. Interestingly, most of the political and military leaders of these groups are the same persons (Omaar, 2009; 2012). Many present-day members of these groups either did not take part in the 1994 Rwandan genocide or were too young at the time to be held accountable for their participation (that is, they could not be prosecuted in Rwandan court today). Most Congolese civilians do not, however, make the above distinction, but call all of these predominantly Hutu groups “Interahamwe” or simply “Hutus” (Human Rights Watch, 2002; Pratt and Werchick, 2004). None of these groups refer to themselves as “Interahamwe.”

### **The Congo Wars**

The creation of political and military organizations in the Rwandan refugee camps in the Kivu provinces close to Rwandan borders presented a threat to the new Rwandan government and, indeed, were seen as the cause of continuing insecurity in Western Rwanda during the months following the genocide. Frustrated by the lack of international action to stop cross-border raids being launched from refugee camps inside Zaire, the Rwandan and Ugandan armies entered the DRC in November 1996 along with, and in support of, Laurent Desirée Kabila, and launched the First Congo War. By May 16, 1997, the coalition had ousted President Mobutu Sese Seko from power, and the majority of Rwandan refugees in the camps returned home, either voluntarily or by force. This war formally ended in 1998.

The Second Congo War, also known as Africa’s Great War, was waged from August 1998 to December 2002. On August 2, 1998, the creation of a new rebel group, the *Rassemblement Congolais pour la Démocratie* (RCD, the Rally for Congolese Democracy), was announced in Goma. It received support from Rwanda and Uganda, while the armed forces of Angola, Chad, Namibia, Sudan, and Zimbabwe supported the new central government in Kinshasa under President Laurent Kabila. Large-scale military operations generated the mushrooming of Maï-Maï resistance groups (militia who see themselves

as a community defense force), many of whom rose in spontaneous response to what was perceived as outside aggression against a state too weak to defend itself. Most of the Maï-Maï groups fought against the RCD-Rwandan Patriotic Army (RPA, the name of the Rwandan army between mid-1994 and 2002) alliance, though some were convinced to fight alongside the RCD-RPA. An estimated 25 AG were involved in the war.

The key justification offered in defense of Rwandan troop presence in the Eastern DRC was the continuing presence of the “Hutu militia” (most often labeled Ex-FAR/Interahamwe) and their threat to Rwandan security. As the UN Mapping Report cited above explains, this war went in several directions at once and fed a generalized and lingering mistrust among the various tribes and ethnicities inhabiting the Eastern DRC. One particular aspect of the fighting may have been a result of the simple consequences of small and lightly armed forces trying to control vast territories with poor communications networks: the proliferation of poorly controlled proxy groups and a tendency toward general anarchy. As such, any control that existed was eroded under the pressures of combat fatigue, distance, and squabbles among leaders. The more desperate conditions became, the more radical the methods used to try to establish and exert control— at every level.

This war was formally brought to an end with the signing of the Lusaka Peace Accord in 1999. In 2000 a UN mission, *Mission de l’Organisation des Nations Unies en République Démocratique du Congo* (MONUC), was deployed to the DRC. Initially, it only had an observer mandate but evolved to become one of the largest UN peacekeeping missions and now operates under very robust Chapter 7 rules (use of military force authorized). The UNSC created a new mission in May 2010 with a stabilization mandate and named it the *Mission de l’Organisation des Nations Unies pour la Stabilisation en République Démocratique du Congo* (MONUSCO).

Despite significant UN presence, multiparty elections held in 2006, and the Goma peace agreements of 2008 and 2009, fighting among various AG and forces continues within the Eastern DRC. This conflict includes a variety of AG with varying degrees of formal control. In addition to the Congolese national army, FARDC, there are a multitude of Maï-Maï groups, of which a number have been organized under the umbrella of *Patriotes Résistants Congolais/Forces Armées Populaire* (PARECO/FAP), which consists of five tribal subgroups (Hutu, Hunde, Nande, Nyanga, and Tembo). The *Congrés National pour la Défense du Peuple* (CNDP, a rebel group established by renegade General Laurent Nkunda

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4 Col Sangano Musohoke alias Soki

in North Kivu out of the former *Armée Nationale Congolaise*, ANC) and a similar group, the *Forces Républicaines Fédéralistes* (FRF, a Banyamulenge group in the South Kivu), were both created to defend Rwandophone minority groups from attacks by other militias and government forces as well as from FAG from Rwanda (such as the FDLR/FOCA and its spin-offs), from Burundi *Forces Nationales pour la Libération* (FNL), and *Forces de Défense de la Démocratie* (FDD). Finally, there are several Ugandan AG to be added into the mix: the Allied Democratic Forces (ADF); the National Army for the Liberation of Uganda (NALU); and the infamous Lord's Resistance Army (LRA), also operating in South Sudan and the Central African Republic. If bandit gangs who exploit the disorder are included, as well as recognition of the ties some of the more important AG have to national elites in the DRC, Uganda, or Rwanda, then a picture of general anarchy begins to emerge.

In February 2013, the governments of the Great Lakes Region<sup>5</sup> signed the “Peace, Security and Cooperation Framework for the DRC and the Region”, affirming their commitment to work together, with the support of the international community, to address common security and economic challenges. Under this agreement, the countries in the Great Lakes committed to refraining from interfering in other countries and agreed to neither tolerate nor provide assistance or support of any kind to armed groups. The DRC committed to preventing armed groups from destabilizing neighboring countries.

In 2013, the UNSC Resolution 2098 led to the deployment of a 3 000-strong (African) *Force Intervention Brigade* (FIB), which for the first time, is equipped with an offensive mandate. In early June, patrolling of the FIB started patrolling in Goma and engaged in direct combat with M23 rebels in August 2013, in support of the FARDC.

### **Rationale and Characteristics of AG<sup>6</sup>**

There is strong anecdotal evidence drawn from years of direct observation that virtually all communities (in the area covered by this research) and tribal and/or ethnic entities perceive themselves as threatened by other such groups. Their worldview is dominated by paranoid

ideas and the belief that there are conspiracies to eliminate their own group. Fear of genocide is generalized and strongly felt across the entire Eastern DRC. A quick review of the collective rationale of each group breaks down as follows:

- *The FDLR* considers itself the only legitimate representative and defender of the rights of the majority of the population of Rwanda. They identify themselves as Hutu.
- *The CNDP and FRF* consider themselves the only legitimate representatives and defenders of the rights of the Banyarwanda (who identify themselves as both Tutsi and Hutu of North Kivu and the Banyamulenge (who identify themselves as Tutsi) of South Kivu.
- *Mai-Mai groups including the PARECO* consider themselves the only serious and capable defenders of their own tribal communities, identifying themselves as ethnic Bantu tribes.
- *The Armée de Peuple pour un Congo Libre et Souverain (APCLS)* consider themselves the only serious and capable defenders of their own tribal community (the Hunde tribe).
- *The FARDC and Police Nationale Congolaise (PNC)* are state actors with very diverse sets of self-identification.
- *Bandits and others* are small and largely unknown groups that imitate AG and sometimes act under their names or use their *modus operandi* as a cover. They are usually driven by economic interests or savagery.
- Command and control mechanisms applied by AG depend on their origin and history. While those with roots in a formal military tend to maintain relatively strict, often very harsh military discipline and an authoritative chain of command, other AG with roots in local communities tend to have much less formal systems of discipline and command. The more militarized groups may have formal codes of conduct and penal codes (Debelle, 2012; TAZ 7.7.2012), while those that were set up as territorial self-defense militias, usually based on tribal or ethnic identities, tend to follow more traditional, warrior-like command-and-control mechanisms. Both tend to be harsh, violent, and cruel in their punishments, and may include use of same-sex sexual violence as a method of punishment. Lacking formal structures, all discipline is dependent on the behavior of individual commanders, and so punishment is often ar-

5 Signatories to the February 2013 Framework: Angola, Burundi, the Central African Republic, the Democratic Republic of Congo, the Republic of Congo, Rwanda, South Africa, South Sudan, Tanzania, Uganda and Zambia. Full text of the agreement can be found at: <http://www.peaceau.org/uploads/scanned-on-24022013-125543.pdf>

6 Annex 2. Profile of Armed Groups

bitrary. Generally, there is no appeal and sentencing is carried out quickly (Debelle, 2012).

All groups follow two main lines of recruitment:

- *Quasi-voluntary.* Engaging tribal/ethnic identity frames (Du Preez, 1980) to gain the support of civilian communities they claim to protect. This can be seen as only partially voluntary recruitment, as peer pressure on individuals, families, and communities is coercive and often set against the threat of attack by other groups and forced recruitment. At times, it may be simply a matter of the head of a family insisting that his sons or brothers also join the AG he has chosen.
- *Forced recruitment.* This is widespread and common. Often the difference between forced and voluntary is difficult to perceive from the outside and is more a matter of variation in the degree of coercion used. Depending on the situation, forced recruitment may deliver half or even more of a given recruit intake. Forced recruitment may target particular individuals or may be carried out on a larger scale through raids, particularly on schools. The recruitment of children is now considered a serious war crime—a label that does not seem to have limited recruitment so much as it has increased the lengths that recruiters will go to avoid detection. Forced recruitment often happens at gunpoint and there are credible accounts of incidents in which the choice given to the subject was either to join or to die. In the case of refusal to join, there is no hesitation to execute the subject on the spot. This aligns with the practice of executing deserters and subjecting recruits to harsh discipline that can include torture or execution.

Training and discipline are harsh in all groups. There are reports from many groups that “weak” recruits regularly die due to the severity of training methods and living conditions.

A key difference between AG is that those categorized as politico-military tend to challenge state authorities, while the others do not—or at least do so only on a purely opportunistic basis (rational: because “the others do so”, and thus offer the opportunity to gain more). Further, politico-military groups generally have political wings, which in some cases, such as the FDLR, include global support networks reaching throughout the Rwandan diaspora, that conduct internal and external political lobbying and mobilize external support. But the LRA, which would qualify by most measures as a politico-military AG rebelling against the Ugandan government, has no observable political wing and no external support

(Diagnostic Study of the LRA, 2010, World Bank). All of the politico-military AG have ideologies articulated to some degree and most claim religious support of their cause (“God is with us”).

Most of them conduct systematic indoctrination and maintain internal intelligence structures that, among other things, monitor the political views of their members, including senior officers. They all take severe action against any member suspected of treason. All seek/maintain alliances with other AG and/or states across borders and maintain at least rudimentary external intelligence cells. Some have elite troop units that are trained to undertake targeted commando operations, including cross-border operations and attacks against military targets. The level of organization of politico-military AG is generally more structured and more formal than an AG without political components. The former tend to establish state like structures and run them accordingly. They therefore represent a threat to states’ authority and thus to the security of the sub-region. Some have the key characteristics of terrorist groups insofar as they do not represent formally recognized states and tend to target civilians and perpetrate indiscriminate violence designed to undermine order. Therefore, they represent at least a potential threat to security beyond the sub-region if they should ever ally themselves with terrorist organizations with a global reach—which may already be happening in the case of the ADF-NALU and Al Shabab.

### 2.2.2 Disarmament, Demobilization, and Reintegration: History and Processes

Following massive international pressure, a series of agreements were signed by various regional parties. The first of these was the Lusaka Cease Fire, signed in July–August 1999 by the DRC, Rwanda, Uganda, Zimbabwe, Angola, Namibia, and the MLC (*Mouvement pour la Libération du Congo (the RCD signed later)*). This agreement called for the creation of MONUC to support the ceasefire; the creation of a Joint Military Commission for Disarmament, Demobilization and Reintegration; the opening of the *Dialogue Intercongolaise*; and an agreement to disarm the ex-FAR/Interahamwe. In 2002 further accords and agreements were signed in Luanda and Pretoria and by October 5, 2002, Rwanda had completed its troop withdrawal. However, the disarmament of the ex-FAR/Interahamwe by the Congolese government did not happen and their major allies, the Mai-Mai, remained in place. Their total combat force at the time may be estimated at 30-40,000 and thus represented a real threat to regional security

There have been several efforts to disarm and demobilize the AG active in the DRC or to integrate them into

regular government forces. It is important to grasp the significance of the dramatically different processes used to achieve these ends, as seen from the perspective of ex-combatants. The Multi Country Demobilization and Reintegration Program (MDRP, [www.mdrp.org](http://www.mdrp.org)), operating from 2002 to 2009, aimed at demobilizing combatants and reintegrating them into civilian life in the region. In DRC, the alternate choice for combatants was integration into the regular Congolese army, the FARDC. This option was open only to Congolese nationals and was offered under the umbrella of a national Security Sector Reform (SSR) process that was not supported by the MDRP. Foreign combatants were, with some exceptions, repatriated by the UN to their countries of origin, where reintegration assistance was provided by the respective national programs, supported by the MDRP. The MDRP program included Angola, Burundi, the Central African Republic, the DRC, the Republic of Congo, Rwanda, and Uganda and was intended to harmonize—to the degree possible—DDR processes of all the countries involved. Today, ongoing Demobilization and Reintegration (D&R) efforts are covered through single-country D&R programs.

As mentioned above, in the past Congolese combatants were offered the choice between demobilizing and reintegrating into civilian life, with socio-economic support, or integration into the FARDC via different programs. Before the onset of the *Program national de Désarmement et reinsertion* (PNDDR) in the DRC, there was an interim process put in place to deliver urgent DDR needs, known as the *Désarmement Volontaire et Spontané* (DSV). It delivered a disarmament certificate for the surrender of firearms. Ex-combatants disarmed under the DSV were promised reintegration support under the forthcoming PNDDR—a promise often not kept. Some uncoordinated local DDR attempts, such as Demobilization by Default, also failed to deliver service. The rather confused initial approach is understandable against the backdrop of an urgently felt need to return to peace and to separate combatants from their weapons as a first step. But the muddle of disarmament (often referred to as “DI”) processes, often initiated without planned or funded reintegration services, generated a great deal of confusion and resentment among former combatants. Those who waited to be demobilized formally through the PNDDR received reintegration benefits while those who disarmed before did not receive reintegration support. In the general disorder of the day, promises were made but not kept, often because the promises were made by people without the authority or responsibility to meet the expectations created.

Many of those directly concerned perceived they had a

right to reintegration services that were either unrealistic or simply unlikely to be delivered within the parameters of the PNDDR once it started. Unmet expectations created frustration among ex-combatants and helps to explain some of the views and perceptions expressed in interviews in the next chapters. It also offers an idea why some ex-combatants state that they have gone through numerous (up to five and more) D-processes, which would have been impossible within only the PNDDR framework, which used biometric data to control access to benefits in order to prevent double-dipping.

The PNDDR/Army integration program in the DRC followed an integrated approach known as *tronc commun*. Local AG members who opted to integrate into the FARDC underwent a cantoned integration and training process called *brassage* (et recyclage). To further complicate matters, in 2007, after a failed government military crackdown on the CNDP, both command and rank-and-file CNDP combatants entered the FARDC through a mediation-brokered bulk-army integration process called *mixage* (Annex 5)<sup>7</sup>. After the breakdown of the mixage and subsequent return to severe armed confrontation with the FARDC (2008), a new peace initiative led to the launch of another, quite similar, process called “accelerated integration” (2009). The process included PARECO Hutu from North and South Kivu, and some elements of Mai-Mai Kifuafua and Simba (Annex 2). In a similar way, the South Kivu Tutsi AG (FRF) later integrated into the FARDC.<sup>8</sup> In such processes, often no option for demobilization was offered to the combatants (the PNDDR was ignored), which in many cases led to “individual D&R”—perceived as desertion by the units that integrated the FARDC.

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7 In 2006 military clashed led to a FARDC military build-up and a subsequent attempted crack-down on the CNDP, but without success. Finally, an agreement to integrate the CNDP forces into the FARDC was brokered with Rwandan assistance. The process was called “mixage”, with key objective given to immediately re-deploy mixed troops to forcefully disarm FOCA forces. Widespread human rights abuses committed by these units soon led to an international outcry, high pressure on the Government of DRC and finally to the termination of these military operations. When senior FARDC command made public statements about re-deployment of all these troops into the “brassage” process in August 2007, an incident sparked immediate return to armed clashes in between the two factions. “Mixage” had failed and parties returned to war. For additional information, see <http://www.hrw.org/reports/2007/drc1007/6.htm>.

8 Debelle (2012: 34). In January 2011 the FRF leadership accepted the offer to integrate into the Congolese army in exchange for the promotion of General Masunzu to the rank of the FARDC 10th Military Region (South Kivu).



After the Goma conference in January 2008, and in the course of and following the *Programme Amani*<sup>9</sup> two important new terms were coined to describe local Congolese AG: *groupes résiduels* and *groupes réfractaires*. *Groupes résiduels* are those groups that had signed the Goma peace accord (January 2008) and just “had no opportunity to report” (which might also be read as “dragged their feet”) to the DDR process they had signed up for. *Groupes réfractaires* (Annex 2) are those created after the Goma peace accord; the Government of the DRC (GoDRC) considers them bandits without a credible agenda and does not intend to talk with them. Basically, these groups mirror the Goma conference groups and belong to two streams: the Kinyarwanda-speaking armed Tutsi of the North and South Kivu, with the limited buy-in of the Congolese Hutu (together the “Rwandaphones”) and the “Bantu tribal concept block” militias, usually referred to as Maï-Maï groups, including militant Congolese Kinyarwanda-speaking Hutu.

Therefore, references to group-identity from the statements of ex-combatants interviewed for this study are in many cases linked to tribal or ethnic reasoning. This is a critical point to be considered when reading the chapters below discussing motivations for violence, when mention is made of “the enemy.”

### **Foreign Armed Groups (FAG)**

Responsibility for the DDR(/RR)<sup>10</sup> process for FAG in the DRC remains largely with the United Nations Department for Peacekeeping Operations (UNDPKO) missions in the DRC (MONUC, later MONUSCO), as it has from the beginning. The Congolese national DDR commission does not have the mandate for FAG, and the GoDRC does not have any adequately structured, staffed, and budgeted entity to support or lead this activity consistently. Rwanda, Burundi, and Uganda do, or did until recently actively sensitize AG members of their nationalities operating in the DRC (and elsewhere)

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9 The *Amani* program was created following the Goma agreements of January 2008, to be used as framework for the disarmament, demobilization and reintegration of the troops of the 22 armed groups, signatories of the Goma agreements. During 15 months, only 3,200 were demobilized out of a reported 28,375 combatants, while re-recruitment and spoiling of the peace process was a permanent obstacle. By its end, the Government of DRC declared 12 local armed groups as no longer existent and all others were considered ordinary criminals. For additional information, see <http://reliefweb.int/node/316586>.

10 DDRRR: Disarmament, Demobilisation, Repatriation, Rehabilitation and Reintegration, also the denomination of a specialized unit within MONUSCO, also referred to as D2R3.

for DDR, and continue to receive and provide them with standardized social and economic reintegration support through national programs.

Under the Stabilization and Reconstruction of Former Armed Conflict Areas in Eastern Congo (STAREC) program, coordinated by the UN and the GoDRC, the UNDP was/is providing support to so-called non-eligible Congolese (as per the PNDDR)—that is, those who claim or claimed membership in an AG but could not turn in a recognized weapon.

After the Joint Communiqué signed by the governments of the DRC and Rwanda on November 7, 2007, aiming at the eradication of the Rwandan AG in the DRC, national and international efforts to end the presence and existence of these groups increased. The offer of voluntary DDR and repatriation was joined by the threat of forced disarmament by military operations. As the international community supported this initiative vigorously, pressure on the AG, in particular the FDLR and RUD, increased both on the ground and around the globe. In the DRC a phase of intensified sensitization of the Rwandan AG began and was complemented by legal action against the FAG leaders operating from bases in the Western world.

This considerably raised the stress under which these groups operate on the ground—a stress to which the ex-combatants interviewed below have been exposed to over the last few years. Their daily lives were lived under threat of violent action against the AG to which they belonged, and targeted threat against their leaders both in the DRC and abroad. Together, these stressors worked to increase internal tensions within each group and significantly reduced the opportunities for rest and recreation of any kind. As can be deduced from the interviews reported below, the prevailing climate within each FAG was one of suspicion, mistrust, treason, and changing alliances at all levels. This played out in frequent redeployments and increasing supply and logistics problems. Keeping in mind that most fighting elements of these particular FAG were responsible for family members living with them, it is easily imaginable that they themselves were terrorized while using terror tactics against others. Given their origins in the Rwandan Genocide and the prevalence of what might be termed a genocidal ideology, in which fear of elimination by others is used to justify calls for preemptive elimination of those same others, it is not surprising that the behaviors reported in this study were so common.

International actors undertook and supported a number of peaceful efforts to solve the violent conflict. For example, in spring 2005 the Roman Catholic organization Sant’Egidio facilitated negotiations with the political

and military leadership of the FDLR/FOCA in Rome and the subsequent Rome Declaration signed by FDLR president Dr. Igance Murwanashyaka. The hope for an end to violence raised by this initiative lasted a few months. Two years later, after the failed attempt by the GoDRC to crack down on the CNDP by force, hopes were pinned on the Goma conference, in which 22 Congolese (Kivu) AG participated. Among those politico-military AG seen as having a credible political agenda were the CNDP, the FRF, and the umbrella group PARECO. All of them had made political declarations and formulated key claims, often focused on ethnic or tribal group interests. The CNDP had brought up its political agenda, the *cahier de charge* and had a website; PARECO had made public its *Déclaration politique de la coalition des résistants patriotes congolais*; and the FDLR, which did not participate in the Goma conference as it was not considered a Congolese AG, also had a rather well-developed website.

In the end, all attempts by international actors to make progress toward a negotiated peace failed. Combatants—who were seriously affected by misinformation, conspiracy theories, and an incredible flow of rumors—were as confused and frustrated as were international actors, and often felt betrayed by “the politics.” There are cases reported of fighters simply running away while engaged in combat; they believed “the politics” was sacrificing their lives. There was even a group participating in the Goma conference whose name reflected this widespread feeling among the rank and file. They called themselves the *Union des Jeunes Patriotes Sacrifiés* (“union of the young sacrificed patriots”). Again, this reflects the strong feeling of isolation and fear of extinction connected to ethnic or tribal identity mentioned above and seems an essential aspect of the background context contributing to the motivations reported by many ex-combatants. The fact that so many of them felt they simply had no choice is significant and is, we believe, directly affected by the dynamics of attempts to integrate AG into the FARDC as part of the SSR agenda of the GoDRC.

### 2.2.3 Wealth and Poverty in Eastern DRC

In terms of natural resources, Eastern DRC is one of the world’s richest areas. Vast amounts of metals including tin, copper, manganese, and mineral fuels as well as precious minerals and diamonds can be found there. According to the U.S. Geological Survey, the DRC holds about 49 percent of the world’s known cobalt deposits (UNDP, 2008). At the same time, state authority is weak, ineffective, or almost nonexistent in parts of the Eastern provinces. The formal economy is essentially destroyed in many provinces.

The general population benefits very little from this

wealth. At least 71 percent of the population live below the line of absolute poverty (defined as less than \$1 per day); about 73 percent lack access to a minimally acceptable daily food intake (compared to 33 percent of all people living in Sub-Saharan Africa) (UNDP, 2008). The UN ranks the DRC as having the tenth-lowest average life expectancy (UN, 2007b) and its gross domestic product (GDP) is the third-lowest in the world. Such statistics mask enormous regional differences: all indicators are even lower for the Orientale and the North and South Kivu provinces (UNDP, 2008). The human costs of the ongoing violence in these provinces are enormous.

As highlighted by a the recent Country Assistance Strategy of the World Bank, poverty remains widespread and the country will not reach any of the Millennium Development Goals (MDGs) by the 2015 (World Bank, 2013). With a 2011 per capita gross national income (GNI) of US\$190, DRC’s population of approximately 71 million is among the poorest in the world. More than 71 percent of the population lives under the US\$1.25-a-day poverty line (2006) and 14 percent of the poor in Sub-Saharan Africa live in DRC. Poverty affect more people living in rural areas, where 75 percent of the population is poor compared to 61 percent in rural areas. Available data also shows that the poorest provinces in DRC are the Equateur, Bandundu, and South Kivu, in which poverty is higher than 85 percent. The country’s poverty is more than monetary. It includes a sense of exclusion, economic instability, and the inability to cope with uncertainties and to project in the future. Poverty also is experienced as the lack of economic opportunities and physical and psychological insecurity (World Bank, 2013)

## 2.3 Sexual and Gender-Based Violence in the Eastern DRC

### 2.3.1 Prevalence Rates of SGBV in the DRC

During the past years, many reports of women and girls, and some of men and boys, who have been raped have surfaced; SGBV has gained the attention of the mass media, international nongovernmental organizations (INGOs), human rights’ groups, and scholars (Omanyondo Ohambe and others, 2005; Pratt and Werchick, 2004, HHI, 2010). There is no doubt that rape and sexual abuse is widespread throughout the Eastern DRC and directly linked to the armed conflict there.

However, there is limited epidemiological data on the number of victims of such crimes. A notable exception is a study by Johnson and others (2010), which finds that 40 percent of all women and 24 percent of all men in a random sample in Eastern DRC have been victims of

sexual violence. The authors describe 74 percent of the cases of sexual violence against women and 65 percent of the cases against men as conflict related.

Further, epidemiological data are limited to information on rape survivors who register with NGOs, health centers, and hospitals. However, many have no or limited access to any such services or do not disclose the crime due to shame. Based on the statistics from two specialized hospitals in the Kivus—the Panzi hospital in South Kivu and the Heal Africa/Doctors on Call for Service (DOCS) hospital in North Kivu—Pratt estimates that between 1996 and 2003 “a minimum of tens of thousands” of women have been raped and/or sexually mutilated (Pratt and Werchick, 2004). Malteser International registered 20,517 raped women in South Kivu during the reporting period 2005–07 (Steiner and others, 2009). From June 2006 to June 2007, the United Nations Children Fund (UNICEF) identified 12,867 survivors of sexual violence, of which 33 percent were children (UN, 2007a). Harvard Humanitarian Initiative estimates that 9,020 sexual violence survivors were treated at the Panzi Hospital in South Kivu between 2004 and 2008 (HHI, 2010).

Most reviewed articles and reports (Amnesty International, 2008; Human Rights Watch, 2002; Mezey, 1994; Omanyondo Ohambe and others, 2005; Pratt and Werchick, 2004; UN, 2007a; Wakabi, 2008) agree that rape in the Eastern DRC is widespread, systematic, and used as a weapon. But the published data cannot explain in what way sexual violence is a weapon of war or substantiate the claim that it is systematic.

It has been noted in virtually every investigation of rape in the Eastern DRC that all AG, and many state actors and common criminals, rape and sexually abuse civilians (Amnesty International, 2008; Davis, 2009). From June 2006 to May 2007, the UN investigated 4,222 cases of rape of minors and were able to obtain information on the perpetrators in 690 cases. Of the survivors, 66 percent were raped by “armed elements otherwise not further identified”, 29 percent were raped by common criminals, and 4.2 percent were raped by members of the FARDC or the PNC (UN, 2007a). Amnesty International reported about 410 raped women seeking medical treatment in parts of Lubero (North Kivu). According to the report, 20 percent of these women reported to have been raped by the FARDC, 16 percent by Maï-Maï groups, and 11 percent by the FDLR. The remaining 47 percent of rape cases were attributed to civilian perpetrators (Amnesty International, 2008).

Omanyondo Ohambe and others (2005) provide the following breakdown of the perpetrators of rape, based

upon a sample of 492 cases in South Kivu: 27 percent were attributed to Interahamwe, 27 percent to the FDD, 20 percent to the RCD, 16 percent to Maï-Maï groups, 2 percent to the RPA, and 1 percent to the Banyamulenge militias. Additionally, 0.2 percent of all rape cases were attributed to common criminals and almost 4 percent to unidentified AG.

A study by Johnson and others (2010) that covered South and North Kivu and the Ituri District<sup>11</sup> differentiates between male and female survivors as well as perpetrators. They find that while most sexual violence perpetrated against women by male combatants was carried out by the Interhamwe militia,<sup>12</sup> most of the violence perpetrated against males was done by the Patriotic Union of Congolese (UPC, *Union des Patriotes Congolais*). They also find female UPC<sup>13</sup> combatants to be the most frequent combatant perpetrators of sexual violence against men. The most frequent female combatant perpetrators of sexual violence against women were reported to be Maï-Maï. While Johnson and others surveyed civilians, our own study asks ex-combatants themselves whether they have been victims and perpetrators of sexual violence and attempts to investigate both motivation and circumstance.

To draw a differentiated picture of the sexual violence taking place in the DRC, it is also important to know that the crimes follow different patterns according to the victims' age. Malemo Kalisya and others (2011) compare sexually abused children and youth with adult survivors treated at Heal Africa hospital between 2006 and 2008. They found that the majority of children and youth in their sample had been assaulted by civilian perpetrators (81 percent of the cases), most of whom were known to the survivors' families (74 percent). The picture is different for adult survivors. They only knew the perpetrator in 30 percent of the cases, and in 48 percent of the cases the perpetrators wore military uniform (which in the context of Eastern DRC does not necessarily mean that they were soldiers). But the number of both child

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11 In 19 territories in the North and South Kivu provinces and the Ituri District.

12 Interahamwe do not exist since 1994, thus reference must be made to the FDLR-FOCA.

13 The UPC was an AG in Ituri that got public attention due to the atrocities it committed, among others the killing of UN peacekeepers. Among the UPC's most prominent leaders were Thomas Lubanga (tried at the International Criminal Court, ICC) and Bosco Ntaganda (at the time of the writing of this report wanted by the ICC for war crimes while current senior officer in the FARDC; meanwhile surrendered to the ICC).

and adult survivors suggests that SGBV perpetrated by civilians also merits attention.

The ability to identify specific groups as the main perpetrators of rape largely depends on the location where the data are gathered. Furthermore, a tendency of rapists to pretend to be Interahamwe by using a few Kinyarwanda words in the course of the attack as well as a tendency of survivors to identify perpetrators as Interahamwe has been reported, even though the perpetrators are likely to belong to other groups (Solhjell, 2009).

While there is a vast and fast-growing body of literature on sexual violence in armed conflict in general, as

well as in DRC in particular, there is limited research that directly surveys alleged perpetrators who are members of AG government forces. As of today, there are only two significant research projects that have involved interviews with this group. The first was conducted by Maria Eriksson Baaz and Maria Stern (Nordic Africa Institute and the University of Göteborg, Sweden). In their research they surveyed active FARDC soldiers. The second is part of the Harvard Humanitarian Initiative's ongoing research on sexual violence in DRC. This was supervised by Jocelyn Kelly and surveyed active Mai-Mai combatants. The relevant literature is listed in the box below.

### **Literature on research directly surveying members of AG regarding sexual violence**

#### **Research on the FARDC soldiers by Maria Eriksson Baaz and Maria Stern**

- Eriksson Baaz, M., and Stern, M. (2008). Making Sense of Violence: Voices of Soldiers in the Congo (DRC). *Journal of Modern African Studies*, 46(1), 57 - 86. (Maria Eriksson Baaz and Stern, 2008)
- Eriksson Baaz, M., and Stern, M. (2009). Why Do Soldiers Rape? Masculinity, Violence, and Sexuality in the Armed Forces in the Congo (DRC). *International Studies Quarterly*, 53(2), 495-518. (Maria Eriksson Baaz and Stern, 2009)
- Eriksson Baaz, M., and Stern, M. (2010) The Complexity of Violence - A critical analysis of sexual violence in the Democratic Republic of the Congo (DRC). and Nordiska Afrikainstitutet - The Nordic Africa Institute and Sida (Vol. Ed.), *Sida Working Paper on Gender based Violence*. Stockholm: Sida. (Maria Eriksson Baaz and Stern, 2010)

*Involved / associated institutions:*

- School of Global Studies, University of Gothenburg, Sweden
- The Swedish Institute of International Affairs
- The Nordic Africa Institute
- The Swedish International Development Cooperation Agency (SIDA)

#### **Research on Mai-Mai Combatants by Jocelyn Kelly**

- Harvard Humanitarian Initiative (2009). *Characterizing Sexual Violence in the Democratic Republic of the Congo - Profiles of Violence, Community Responses, and Implications for the Protection of Women*. Cambridge, MA: Harvard Humanitarian Initiative. (Harvard Humanitarian Initiative, 2009)
- Kelly, J. (2010). *Rape in War: Motives of Militia in DRC*. Washington, D.C. : United States Institute of Peace. (Jocelyn Kelly, 2010)
- Kelly, J., and Van Rooyen, M. (2011). Militia in DRC speak about sexual violence. *Forced Migration Review*, 37, 30 - 31. (Jocelyn Kelly and VanRooyen, 2011)

*Involved / associated institutions:*

- Harvard Humanitarian Initiative
- Open Society Institute
- United States Institute of Peace
- Centre d'Assistance Medico-Psychosociale (CAMPS)



### 2.3.2. Research involving FARDC soldiers

The study by Baaz and Stern took place from October 2005 to November 2006. Semi-structured group interviews with active FARDC soldiers were carried out. The interviews were conducted with male and female soldiers in separate groups. Each group consisted of three or four participants. The soldiers were interviewed in Kinshasa; most had been to the east of the country within the preceding year. The interviews were tape recorded and later qualitatively analyzed.

Baaz and Stern point out that the reasons presented to them to explain sexual violence were both “contradictory and reductionist.” The main explanation put forward was poverty. Soldiers in this study explained three links between poverty and rape.

First, it was reported in the group discussions that many soldiers are too poor to afford and sustain a relationship or pay for commercial sex. But men (including soldiers) have an uncontrollable need for sex. Therefore, if they cannot convince a woman to have consensual sex or cannot pay for it, they “have to” rape her.

Second, soldiers reported being so poor that their wives “do not love them anymore,” that is, refuse to have sex. Again following the logic of an uncontrollable sex drive, the men therefore “have to” fulfill their sexual needs by raping another woman. (Conjugal rape was not discussed by the participants, most likely because it is not seen as rape.)

The third explanation found by Baaz and Stern linked poverty to frustration and anger and the latter to rape. According to this explanation, soldiers were frustrated by their low pay and poor living conditions. They then committed crimes of sexual violence as an outlet for their anger and frustration.

The study also offers explanations for sexual violence that are more closely connected to the situation of armed conflict in the eastern and northern parts of DRC. Participants report that “the spirit and craziness of war” as well as the consumption of drugs lead soldiers to commit the most brutal forms of sexual violence.

One of the most noteworthy findings is that the interviewed soldiers make a clear distinction between “normal” rapes and “evil” rapes. According to the soldiers, “normal” rapes are a result of poverty paired with uncontrollable lust (as described above). These rapes seem acceptable or at least understandable to the participants. “Evil” rapes, on the other hand, were reported to be those

that include forced penetration with objects, mutilation, and the most brutal forms of gang rape. These rapes are either the result of the “craziness” described above or are used to humiliate the survivor and her community.

In their research Baaz and Stern do not find evidence that rape is used in any strategic or systematic way. None of the interviewees admitted their own involvement in any acts of sexual violence. It should be noted that only the FARDC soldiers were surveyed in this research. Findings therefore cannot be generalized to other AG, with the limitation that army integration was ongoing at the time of this survey, and in this process AG had been integrated into the FARDC. The authors do not mention if the units interviewed had already gone through this process or not. The main finding—that soldiers distinguish between “normal” and “evil” rapes—seems an important inroad to understanding some forms of rape committed in DRC and implies that soldiers have varying perceptions of cruelty with regards to SGBV.

### 2.3.3. Research involving Mai-Mai Combatants

The study by Jocely Kelly is part of the Harvard Humanitarian Initiative’s larger research project on sexual violence in armed conflict. For this study, 33 Mai-Mai combatants were interviewed between January 2009 and February 2010 in Eastern DRC—17 in Kamituga, eight in Katogota, and eight in Chambucha in South Kivu. The interviews were conducted by male Congolese social workers and psychologists and covered two groups: the Mai-Mai Shikito and the Mai-Mai Kifuafua. The participants included male and female Mai-Mai. The interview protocol was qualitative, including a fixed set of questions. Only some of these questions were on the topic of sexual violence.

The interviewees cited both individual motivation and military explanations as reasons for sexual violence. The former was described as raping a woman out of sexual desire. In this context rape is described as opportunistic. According to this research, it might include the abduction of women and girls. Here we may see an overlap with the explanation of “normal” rape given by the FARDC soldiers in the previously described study.

Specifically linking sexual violence to its military context, the interviewees reported receiving orders to rape and/or to abduct women. They further describe women as a spoil of war and claim that women are “given” as a reward and “distributed” according to rank.

Again a picture emerges in which some forms of rape are seen as “normal,” while the most brutal forms of rape are described as “evil” and “unacceptable.”

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The study finds some group difference. While no participant from the group Mai-Mai Shikito admitted any involvement in sexual violence, combatants from Mai-Mai Kifuafua described different forms of SGBV carried out by their group. Some combatants from Mai-Mai Shikito

denied any occurrence of sexual violence within the area under their control or even in the entire DRC. In contrast, participants from Mai-Mai Kifuafua reported raping for individual reasons as well as kidnapping women for themselves or their commanders.



# 3 STUDY DESIGN

## 3.1 Study Objective

The objective of this study is to investigate individual motivations for sexual violence as well as its potential strategic or tactical aspects and to explore differences in behavior between AG and other forces.

The key questions to be answered are:

1. Why is the violence directed against women and girls so exceedingly brutal/cruel?
2. What motivates combatants to perpetrate the most brutal forms of SGBV?
3. Is SGBV employed strategically by any of the investigated AG? Do hierarchies, incentives, punishments, or direct orders play a role?
4. If SGBV is employed strategically by any of the investigated AG, what are the strategic and/or tactical goals?
5. How do individual motivational and strategic factors interact to perpetrate SGBV? and
6. Do the mechanisms and motivations for SGBV on individual as well as on leadership levels vary among different AG?

## 3.2 Interview Format and Instruments

Participants were asked about their well-being and their war experiences. Most important, interviewees were asked about the violence they had experienced, witnessed, or carried out. The interview protocol was structured and quantitative. Open and freely worded questions were also asked to further motivate the participants as well as to build trust and confidence.

The development of the interview protocol, built on previous research conducted by *vivo international* (Maedl, 2011; Weierstall and others, 2012) was adapted to the current context with the help of translators. The somatic complaint list (health-related information) was adapted from a validation study *vivo international* conducted with Rwandese and other refugees in Uganda (Ertl and others, 2010). The level to which an individual enjoys or has a need to perpetrate violence was assessed using

the standardized Appetitive Aggression Scale (AAS) (Weierstall and Elbert, 2011).

Participants in the study provided socio-demographic information, their history in AG, their motivation for joining an AG, and information on substance use. A list of the traumatic events<sup>14</sup> experienced over the course of their lives allowed the researchers to assess ex-combatants' trauma exposure. Symptoms of Post-Traumatic Stress Disorder (PTSD) were assessed with an internationally validated instrument, the PTSD Symptom Scale–Interview (PSS-I). The commonly assumed reasons for sexual violence were presented to the interviewees, to which they could agree or disagree. One open question was asked for possible explanations of the most brutal forms of rape. In the last section of the interview we asked whether specific orders had been given to physically attack and/or sexually assault civilians and whether sexual violence was part of the AG's reward system.

The interviews were carried out by international clinical experts; interpreters were from DRC. At the beginning of the study all the interpreters were trained. The questionnaire was discussed with them item by item several times and reviewed for cultural and language fit. The interpreters also observed one another during interviews to ensure standardized interpretation. During the course of the study several supervision meetings were held.

## 3.3 Sampling

Interviews took place at two sites in Goma, the United Nation's Disarmament, Demobilisation and Reintegration/Resettlement and Reintegration (DDR/RR) camp, and the *Equipe d'Education et d'Encadrement des Traumatisés de Nyiragongo* (ETN) Centre. The DDR/RR camp is a transit camp where former combatants begin the process of repatriation but remain for only a few days before being moved to other places (e.g. if they are Rwandan to Rwanda). Both Rwandan former combatants and Congolese former combatants arrive there. All but a few combatants transiting through the camp

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14 For example: Have you ever been physically assaulted—for example, by being attacked, hit, slapped, kicked, beaten up (includes beatings with sticks)—in such a way that you had to *fear for your life*?

at the time of the interviews were interviewed here. The ETN Centre is a nonprofit local nongovernmental organization (NGO) that provides support, education, and skills training to young adults who are suffering from the consequences of the ongoing conflict (such people include former combatants, former child soldiers, and women who were victims of sexual violence). Every former combatant or former child soldier who was not ill or absent during the study at the ETN center was interviewed. All interviewees were volunteers. A consent form was read and explained to them. Oral, rather than written consent was accepted in cases of illiteracy. The interview participants received a small compensation for the interview.

A total of 224 interviews were conducted, 213 of which were completed. The 11 interviews that could not be completed were all conducted at the DDD/RRR, and were terminated because the participants were repatriated before the interviews could be completed. Given this circumstance, the actual number of interviewees and the number of members of AGs may vary slightly in the following chapters. Most interviews, 72 percent ( $n = 162$ ), took place at the DDR/RR camp; 27 percent ( $n = 60$ ) were conducted at the *Equipe d'Education et d'Encadrement des Traumatés de Nyiragongo* (ETN) center; and 1 percent at a military detention facility in Goma.

### 3.4 Study Limitations

The current assessment demonstrates the feasibility and practicability of interviewing ex-combatants in DRC about their perceptions and motivations relevant to SGBV. Given the lack of research in this area, the findings derived from the current research outweigh its limitations. Nonetheless, the research includes the following limitations:

- The sample sizes of different AG and the various ranks within the AG did not match, and therefore

generated statistical inferences in our findings that were not equally representative.

- The sample was drawn from those who had left their respective AG or force and thus may have generated responses that are not indicative of the depth of political motivation among those who remain in the field. It is possible that our sample contains a larger percentage of those with weaker political motivation than is the norm within the remainder of the AG. The reported numbers (both on experienced traumatic events as well as perpetrator events) could easily underestimate the number for those still active in the groups, who joined for political reasons. Those who left—often under life threatening circumstances—might have never been strongly committed to their group or might de-emphasize their political commitment in hindsight.
- The motivations to leave various AG is not known in sufficient detail. It might well be that those with comparably low levels of appetitive aggression leave the AGs while the more aggressive ones stay. If this is the case there might be a group difference with regard to this variable between ex-combatants and active combatants. Understanding this relationship better would facilitate better DDR programming.
- Little is known about mortality rates pertaining to the various AGs from which the sample was drawn. Again this has an impact on the generalization of the present findings from ex-combatants to active fighters. In sum, we cannot generalize from the present sample of former ex-combatants to active combatants in DRC with respect to the reported rates of psychosocial suffering and reported attitudes.
- Ethnic and tribal affiliations were not assessed, but would have provided a deepened understanding of the concept of “the enemy.” More research should be conducted to assess the relationship of AGs, ethnic and tribal affiliations, and enemy perceptions.

# 4 STUDY PARTICIPANTS' PROFILE

## 4.1 Age and Origin

The age of the participants varied widely. The youngest was 13 years old, the oldest was 50. The mean age was 24 years (SD = 7), but differed significantly ( $p < 0.001$ ) per interview site. While the mean age of participants at the DDR/RR camp was 25 years (SD = 8), it was only 20 years (SD = 2) at the ETN center.

All participants interviewed at the ETN center were Congolese, as this was a condition of the program. At the DDR/RR site, 65 percent were from DRC, 35 percent were from Rwanda, and one participant was born in Uganda. Taking all participants together, 75 percent were born in DRC, while 25 percent were born in Rwanda (mainly former combatants of Rwandan AGs operating in the Eastern DRC).

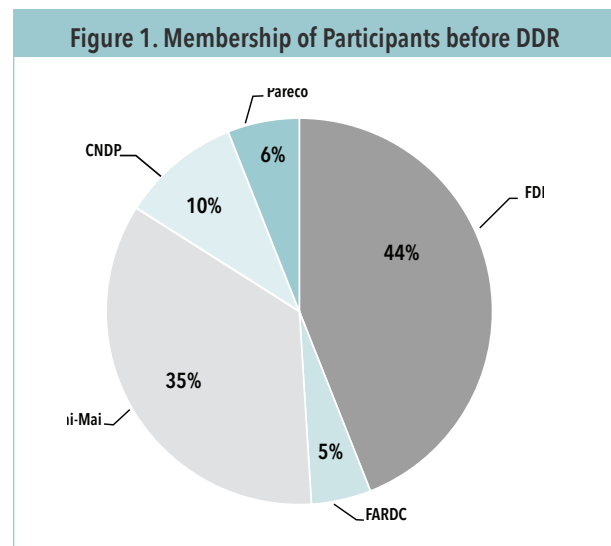
Armed Group	Percentage	Fiscal Implications
FDLR/FOCA	43	98
FARDC	5	11
CNDP	10	22
Maï-Maï (not otherwise specified)	4	9
Maï-Maï APCLS	13	29
Maï-Maï FDN	5	10
Maï-Maï Kifuafua	4	10
Maï-Maï Kirikicho	3	6
Maï-Maï Simba	3	6
Maï-Maï FAC	1	3
Maï-Maï FPLC	1	3
Maï-Maï Banyampiriri	0,4	1
Maï-Maï Cobra	0,4	1
PARECO	6	14
RCD	0,4	1

## 4.2 Armed Groups and Forces

When interview participants presented themselves for demobilization, they reported belonging to a wide variety of AG, as presented in Table 1

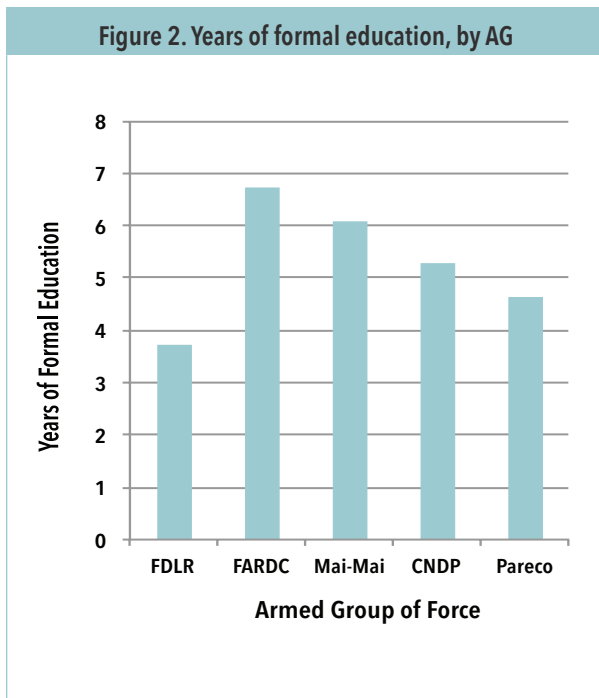
More than one-third (37 percent) of the participants belonged to more than one AG or force during the course of their lifetime. About 11 percent of them changed their membership (by force or voluntarily) more than once and, 3 percent more than twice.

In most of the following calculations and presentations, all the Maï-Maï groups are coded together, but the *Patriotes Résistants Congolais* (PARECO) are reported separately. The FDLR, the *FDLR Ralliement pour l'Unité et la Démocratie Urunana* (RUD), and the *Armée de Libération du Rwanda* (ALIR) are coded together as FDLR. Figure 1 presents the distribution of AGs at the time of demobilization:



## 4.3 Education

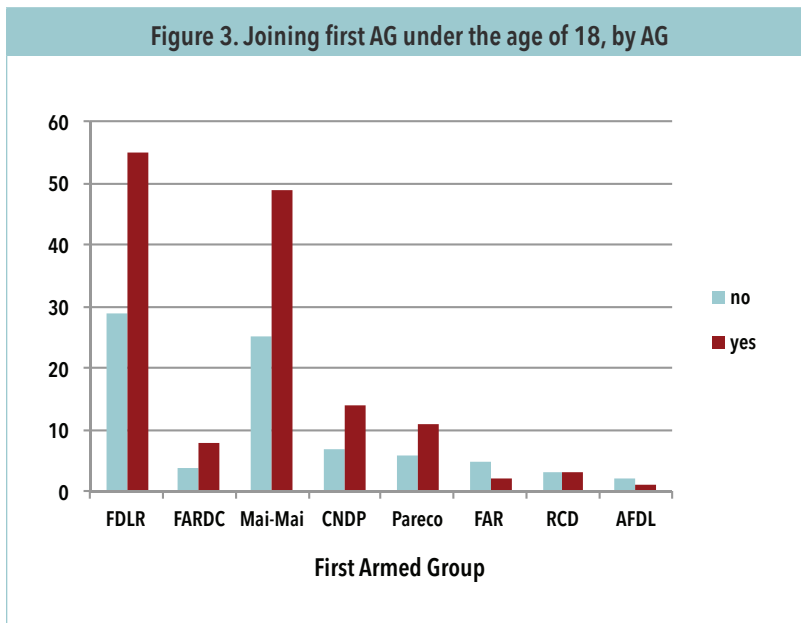
Educational background varied widely across the sample (Figure 2). Of those interviewed, 29 percent were illiterate, while 14 percent had spent 10 or more years in school. On average participants had been to school for five years (SD = 4). On average those staying at the ETN Centre went to school for 7 years (SD = 4), while



those passing through the DDR/RR camp only went to school for four years (SD = 4). The wide range of years of education is applicable to former members of all AGs. On average, former members of the FDLR have been to school for the least number of years.

### 4.4 Child Soldiers

Of those interviewed, 64 percent joined their first AG or force when under the age of 18 (Figure 3). In total,



### Participant 1034

*“My step-father treated me very badly when I was a child. There was a lot of violence at our home. So I joined the Mai-Mai Kifuafua when I was ten years old. Two years later I went to stay with Mai-Mai APCLS. In 2007 MONUSCO found me and other children. They took us to the DDR camp. But I did not want to go there! They forced me!*

*As a soldier I drank alcohol and smoked marijuana every day. All soldiers do that. I used to be in charge of the medical supplies and of witchcraft. I miss being a soldier. I miss the power! Sometimes I killed others just for fun. Others did so, too. Blood carries people away. They cannot stop killing anymore.”*

39 percent joined under the age of 15. There are no statistically significant differences between the groups surveyed. The graph below indicates numbers of ex-combatants who joined the first AG when under the age of 18 versus those who joined as adults, disaggregated by their first AG.

### 4.5 Rank and Combat Experiences

Participants ranged from former supporters to colonels. Some reported rather uncommon ranks like “chief of child soldiers.” The interviewers asked therefore about the number of people the participants had under their direct command, and then categorized them accordingly using the classifications: noncombatant supporters, (“simple”) soldiers, non-commissioned officers and officers. In total, 5 percent were supporters, 53 percent soldiers, 22 percent noncommissioned officers, and 20 percent officers. But it is important to note that the ranks are not necessarily comparable across different groups. A high number of former Mai-Mai combatants report having held the position of an officer (Table 2). This reflects two possibilities: (1) that it is easier to obtain this rank within some of the Mai-Mai groups than in some other AGs, and (2) that the former Mai-Mai combatants might claim this rank hoping to receive more DDR benefits. It is assumed here that ranks were more reliably reported among the politico-military motivated AGs, as compared to the others, in part because there are generally no formal records kept in the Mai-Mai groups.

### Participant 2082

*"Our army was not as structured like the army here in town. For example, a major in our group had 20 people under his command."*

Participant 2082 was from the Mai-Mai Simba

Equally important for the research is the question whether the interviewed participants actually have first-hand combat experience and can therefore provide direct insight into the links between combat and acts of SGBV.

There are no differences between groups with regard to combat experience. An equally high percentage (94 percent in all groups) report combat experience, while 95 percent report having owned at least one weapon.

**Table 2. Armed Groups and Forces by Categories of Rank**

Armed Groups and Forces by Categories of Rank						
		Rank by Categories				Total
		Supporter	Soldier	Nco	Officer	
FDLR	N	9	65	20	4	98
	%	9.2%	66.3%	20.4%	4.1%	100.0%
FARDC	N	0	5	4	2	11
	%	.0%	45.5%	36.4%	18.2%	100.0%
Mai-Mai	N	2	32	12	32	78
	%	2.6%	41.0%	15.4%	41.0%	100.0%
CNDP	N	0	11	10	2	23
	%	.0%	47.8%	43.5%	8.7%	100.0%
PARECO	N	1	6	3	4	14
	%	7.1%	42.9%	21.4%	28.6%	100.0%
Total	N	12	119	49	44	224
	%	5.4%	53.1%	21.9%	19.6%	100.0%

## 5 REASONS FOR JOINING THE FIRST ARMED GROUP

The following chapter provides an overview of the reasons given for joining the first AG. Half of all interviewees reported having been forced to join an AG in the first place, with levels of forced recruitment the highest for the CNDP and FDLR. For the FARDC forced recruitment was, as expected, less frequently.

For participants who had not been physically forced into recruitment, a multi-causal picture of reasons for recruitment emerged. Most reported either self-defense or the fact that friends had joined the respective AG. Higher percentages of both Mai-Mai and PARECO cited self-defense as a reason to join their respective AG, which is in line with the assumption that these AGs fight for tribal/territorial self-defense instead of political reasons. Reinforcing this finding is the fact that political motivation was given as a reason for joining the first AG more often for the FARDC and less often for the Mai-Mai and PARECO.

Slightly over half of the participants reported that they were forced to join their respective AG with significant differences ( $p < .001$ ) between the surveyed AG (Cramer's  $V = .40$ ). For the CNDP, 71 percent report that they had been forced to join; the same is true for 65 percent of the participants who were first in the FDLR. From PARECO, 69 percent report forced recruitment, but for the other Mai-Mai groups it is lower, at around 33 percent. Three participants (25 percent) from the FARDC report that they were re-

cruited by force (Table 3).

Many times there is no clear distinction between forced and voluntary enlistment. Many former combatants joined an AG to preempt forced recruitment by this very group or by others. Some combatants of Rwandan origin

**Table 3. Forced or voluntary recruitment by AG**

		Forced Recruitment <sup>15</sup>		
		Forced to Join	Joined Voluntarily	Total
FDLR	N	53	29	82
	%	64,6%	35,4%	100,0%
FARDC	N	3	9	12
	%	25,0%	75,0%	100,0%
Mai-Mai	N	24	49	73
	%	32,9%	67,1%	100,0%
CNDP	N	15	6	21
	%	71,4%	28,6%	100,0%
PARECO	N	11	5	16
	%	68,8%	31,3%	100,0%
FAR	N	1	6	7
	%	14,3%	85,7%	100,0%
RCD	N	5	1	6
	%	83,3%	16,7%	100,0%
AFDL	N	0	3	3
	%	0%	100,0%	100,0%
Total	N	112	108	220
	%	50,9%	49,1%	100,0%

<sup>15</sup> Note: The last three groups—the *Forces Armées Rwandaises* (FAR), the *Rassemblement Congolais pour la Démocratie* (RCD), and the *Alliance des Forces Démocratiques pour la Libération du Congo-Zaïre* (AFDL)—do not exist anymore. They appear because it was the first group joined in the past. Due to ex-combatants' migration across AGs in the course of time, different numbers of AG categories emerged for different interview questions, such as "first armed group" and "last group before DDR." Therefore AG categories in tables might vary slightly.



### Participant 1012

*"The FDLR attacked my village when I was 26 years old. They forced me to come with them and kept me as a prisoner. I had to carry loads for them for five years. Then, in 2010, they made me their soldier and gave me a weapon. However, they never fully accepted me, because I am Congolese. They treated me as an outcast and sent me on all the dangerous and life-threatening missions. I ran away from the FDLR because I gained nothing and had a hard life in the bush."*

### Participant 0012

*"I was born in Kibuye (Rwanda). When I came to DRC I was still a baby. First I was in a refugee camp with my parents. When I was four years old my mother died of illness. From then on I stayed in a village with another family. There I was treated very badly. They were beating me so terribly that I still have scars on my body. The adults in the family also burned me with hot water. I think if the FDLR had not abducted me, I might have joined them voluntarily just to get away from this family. When I was twelve years old, the FDLR came to loot the village. They killed my father and forced me to carry their loot. Then they made me join their ranks. Some time after I had been with the FDLR, there was a fight with the CNDP. The CNDP took me and others and made us their slaves. We managed to escape after a while. Then we were roaming the forest alone for some days until we found the FDLR again. This time we joined voluntarily. In the FDLR we were also treated badly, but we were not beaten as much as in the CNDP. In the FDLR we often had to carry loads that were far too heavy for us. Today, I have a lot of pain because of this. The FDLR commanders sent us to fight, but we did not gain anything from this."*

### Participant 2086

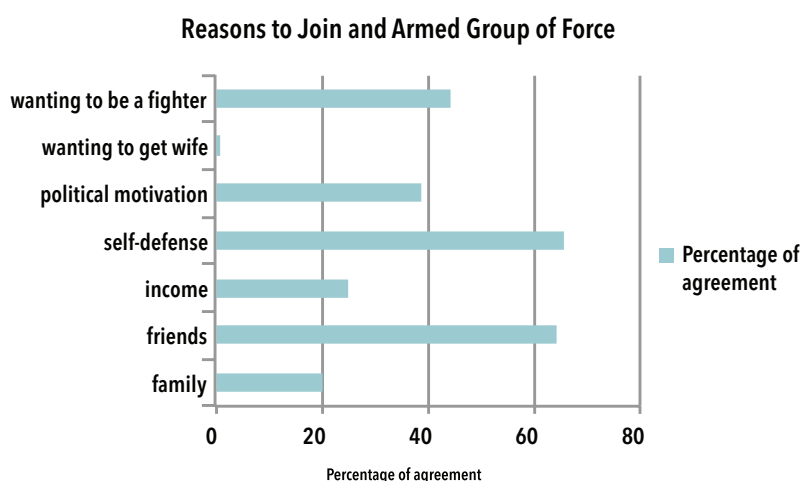
*"In Kichanga, when you are 15 years old, the CNDP start to look for you and make you their soldier. I did not want to be with them so I joined the Mai-Mai."*

also report that they joined the FDLR at an early age because they had lost their parents and wanted to stay with people who spoke their language (Kinyarwanda). Some former combatants or soldiers had been abducted by the same or different groups several times.

For those participants who were not physically forced to join the first armed group (n = 108), different possible reasons for joining the first armed group or force were presented (multiple answers possible, Figure 4).

**Family and Friends.** In total 20 percent of the interviewees reported that they had joined their first AG or force because their relatives were already members or planning to join. While this situation applied to 45 percent of those who had voluntarily joined the FDLR, it was much lower for all other AG (8 percent Mai-Mai, 20 percent PARECO, 17 percent CNDP and 0 percent for

Figure 4. Other Reasons to Join first AG



the FARDC. Of participants who joined their first AG or force because their friends were joining, 59 percent had belonged to the FDLR, 56 percent to the FARDC, and 69 percent to the Mai-Mai groups. Around 80 percent who

had joined the PARECO also cited this reason, as did 83 percent of those who had joined the CNDP.

**Income.** Around 25 percent of interviewees who joined an AG did so to earn income with the following variations by AG: 20 percent who joined the Mai-Mai, 10 percent who joined the FDLR, 33 percent who joined the CNDP, and 20 percent who joined the PARECO. In contrast, 67 percent of those who joined the FARDC and 50 percent of those who joined the FAR did so for income.

**Self-Defense.** In total 67 percent said that one reason why they joined their first AG or force was to defend themselves or their family.

**Political Motivation.** Around 39 percent of the participants agreed that they joined their first AG or force for political reasons. Again, affirmation is highest among those who joined a government armed force (44 percent

of the FARDC). Of those who joined the FDLR, 38 percent did so for political reasons, as did 50 percent from the CNDP, 33 percent from the Mai-Mai, 20 percent from the PARECO, and one person from the RCD.

**Wanting to be a Fighter.** Participants were also asked whether they joined because they wanted to be a fighter. Sometimes this statement was qualified by asking whether they liked the idea of being “a real fighter / soldier” or the idea of “being involved in combat.” Those who originally joined a government armed force agreed more often with this statement (56 percent from the FARDC; 67 percent, FAR; 60 percent, PARECO, versus 43 percent from Mai-Mai, 41 percent for FDLR, 33 percent of CNDP)

**Wanting a Wife.** Only one participant from the FAR endorsed the statement that he joined because he wanted to “get a wife.”

# 6 SUBSTANCE USE AND ABUSE

Self-reported consumption of alcohol and drugs is usually understated. Half of the study participants reported to have consumed alcohol before entering the DDR process. One out of five ex-combatants reported they had consumed marijuana during their time with the AG, and two out of three stated that drugs—most often marijuana—were frequently consumed in their unit. Increased aggression and sexual arousal as well as “consumption as a coping strategy for trauma-related suffering” were reported as the main effects of marijuana. One-third of all participants disclosed that marijuana was frequently consumed right before combat, yet hardly ever given out by the commanders to the soldiers. The interviewees also claimed to see a link between substance use and sexual violence, “going crazy,” as well as perpetrating very brutal forms of violence.

**Alcohol.** Some participants were very reluctant to talk about their own alcohol and substance consumption. Most cited religious reasons for ostensibly not consuming any alcohol, but often explained in detail the consumption patterns of their fellows. Despite initial reservations, half of the participants reported that they drank alcohol during the four weeks before they left their AG or government force. Most of those drinking consumed beer or locally made banana beer (66 percent), while 32 percent mainly consumed hard liquor. Around 5 percent reported heavy consumption—they drank more than 1.4 liters of beer or more than 700 milliliters of hard liquor daily. This number most likely underestimates the actual percentage of combatants and soldiers who abuse or are addicted to alcohol.

**Marijuana.** When asked about the consumption of any type of drug, 23 percent of the participants reported that they had consumed hallucinogenic drugs during their time with an AG or government force. Another 63 percent reported that hallucinogens were consumed regularly within their unit, almost exclusively marijuana. Additionally, there were some reports on the consumption of “36 oiseaux” (*Datura stramonium* / “jimson weed”)<sup>16</sup> and cocaine as well as of sniffing petrol.

Participants reported the following effects marijuana had on the behavior of those who consumed it: increase in aggression (“I feel mighty”; “I easily get aggressive”) and sexual arousal (“I get sexually stimulated”), as well as effects that mitigate trauma (“It calms me down”; “It takes away my fear”) and makes life as a combatant or soldier more bearable (“It takes away hunger”) (Table 4).

**Table 4. Reported behavioral effects of marijuana**

	Percentage responding yes
It takes away fear	89
I feel mighty / powerful	85
I get easily aggressive	78
I get happy / euphoric	75
I get awake	66
I can hear / see things others do not hear / see	52
It takes away pain	50
It calms me down	39
I get sexually stimulated	34
It takes away hunger	8

### Participant 2069

*“The FDLR grows marijuana in places like Masisi or Kimua. It is their business.*

*In the APCLS, the ones who smoked marijuana smoked it in secret. The punishment was to be jailed and beaten.”*

Participant 2069 studied medicine for one year before he left university and joined the Mai-Mai Kifuafula. He became a captain within the group. He later left the group to join the Armée de Peuple pour un Congo Libre et Souverain (APCLS), where he was a major. He finally demobilized because life in the bush was very difficult and he wanted to take better care of his family.

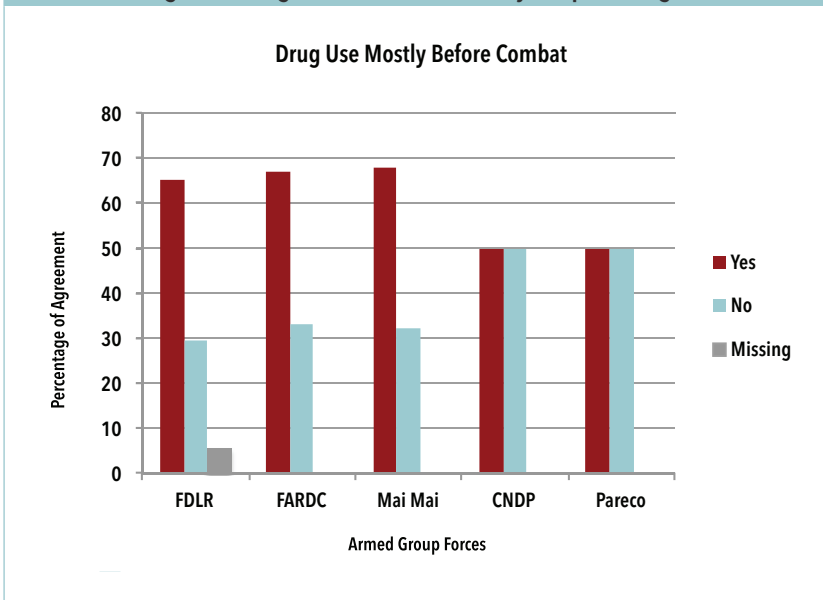
16 This is a plant from the Solanaceae (nightshade) family, which is also a hallucinogen and deliriant. It is also used spiritually for the intense visions it produces ([http://en.wikipedia.org/wiki/Datura\\_stramonium](http://en.wikipedia.org/wiki/Datura_stramonium)).

The interviews further explored whether marijuana is particularly used to enhance combat capability or brutality by asking about the time of consumption as well as the origin of the drug. Thirty-five percent reported that marijuana was often smoked directly before combat. Most participants (74 percent) said it was consumed during leisure time or at no special time, while the remaining few reported the use directly after combat or during rituals (Figure 5).

Some participants showed physical and psychological signs of withdrawal during the time in the DDR camp. Others continued smoking marijuana in the camp, but none of the participants were intoxicated during the interview.

Most participants reported that they grew the marijuana themselves (58 percent), or received it from fellow combatants or soldiers (28 percent) and/or local communities (46 percent). Only a small minority, 6 percent, reported that a commander had distributed the marijuana. The only group for which receiving marijuana from the commander was not reported was the FARDC. Quite a number of participants alleged that the FDLR was growing marijuana not only for their own use, but also to sell to other AGs and the FARDC. In particular, participants

Figure 5. Drug used before Combat by AG, percentage



#### Participant 2087

*“They took people’s fields by force and turned them into marijuana fields. Now they sell it and earn a lot of money. When the soldiers smoked, they beat us a lot.”*

Participant 2087 was captured by the FDLR in 2008 and forced to work as a cook.

#### Participant 2080

*“In Mai-Mai Janvier they smoked marijuana. When they smoked, they were eager to go fighting. But when they did not smoke, they were lazy. We were close to FDLR and worked together. They even brought us marijuana free of charge.”*

Participant 2080 joined the Mai-Mai under the Command of Akilimali in 2002. After about one year he was brought to the Centre de Transit et d’Orientation (CTO, a demobilization center for children), and after some time he went home to Nyabyondo. There he joined the Mai-Mai Janvier in 2005 and stayed with them for about three years. He was taken by MONUSCO to the CTO again. After that he went back to Nyabyondo, and from there he went to Goma to the Equipe d’Education et d’Encadrement des Traumatisés de Nyiragongo (ETN) center.

discussed the presence of FDLR marijuana plantations in Ntoto, Masisi, and Kimua (Ishanga). Several participants reported severe punishment for drug consumption, while others reported command tolerance. In some cases, such reports conflicted among ex-combatants within the same group.

**Sexual Violence and Substance Consumption.** Many participants see a clear connection between smoking

marijuana, “going crazy,” and raping women in the most brutal ways. It is important to keep in mind that this connection can also be seen as an excuse or justification. Three lines of reasoning could be plausible for the excuse. First, if the perpetrator had a “moral” dissonance with committing sexual and gender-based violence (SGBV), it would help him to attribute the cruelty not to himself, but to his “intoxicated self.” Second, impunity

comes into play here. In many court trials the defendant would not be considered as fully responsible if he were intoxicated with substances at the time of a committed crime. Third, social acceptability during the interviews could also be considered here. But many participants

giving these accounts seem neither to excuse their sexual violence against women nor to regret it. Often sexual violence is not described as a crime but rather as a simple reality of war.

### **Participant 2092**

*"When soldiers smoke marijuana, they cause trouble. They start to fight and you have to watch them so that they do not run away and rape."*

After participant 2092 had finished his second year at university he went home for the holidays. There he found his family very concerned about harassment by AGs. The family thought that this would cease if one of them joined the Mai-Mai, and decided that this was participant 2092's duty because he was the oldest. So 2092 joined the Mai-Mai Force de Defense Nationale (FDN). Within the group he already knew a major from the university and was immediately promoted to be a captain.

### **Participant 2054**

*"As a soldier I took a lot of drugs. I was drinking beer, smoking marijuana, and sniffing petrol. Drugs help you to have no fear and just to shoot."*

*"In the CNDP we raped a lot of women. And we killed civilians. When they refuse to carry the loot, you just shoot them. Once, we captured the wife of an enemy and chopped her to death. The other soldiers ate her flesh, but I only pretended to eat it. In combat we always had to move forward, otherwise they would shoot us. When the soldier in front of me did not move forward, I shot him. Otherwise I would have been killed, too. We were always stepping over so many bodies and walking in all this blood. Soldiers rape because they get out of control from smoking all this marijuana. When you are fighting against the enemies, you are not seeing them as humans. You see them as paper sheets that you are tearing."*

*"Today, I am still drinking alcohol and smoking marijuana. I will go back to FDLR; there I had at least a mattress to sleep on."*

Participant 2054 was born in 1990 in DRC. His parents died when he was very young. Afterwards a man took care of him, but when he was 15, he was forced to join the CNDP. Later he joined the FDLR.

# 7 TRAUMATIC EXPERIENCES AND POST-TRAUMATIC STRESS DISORDER

This chapter deals with the question of whether ex-combatants had experienced and/or witnessed traumatic events and if they exhibited symptoms of mental-health-related suffering, namely post-traumatic stress disorder (PTSD). Ex-combatants reported extreme levels of trauma exposure; almost all had witnessed killings, physical assaults, and had been physically assaulted by members of other AGs. Further reports on traumatic events equally give evidence of the strict command chain within the AG. Data gathered in this chapter also reinforces the notion that the chain of command within each AG played an important role in this violent behavior, as many ex-combatants report being coerced by threat of death or injury. Given the enormous number of traumatic experiences that the ex-combatants reported in the survey, it is not surprising that 24 percent of the overall sample exhibited clinical symptoms severe enough to qualify for diagnosis of PTSD.

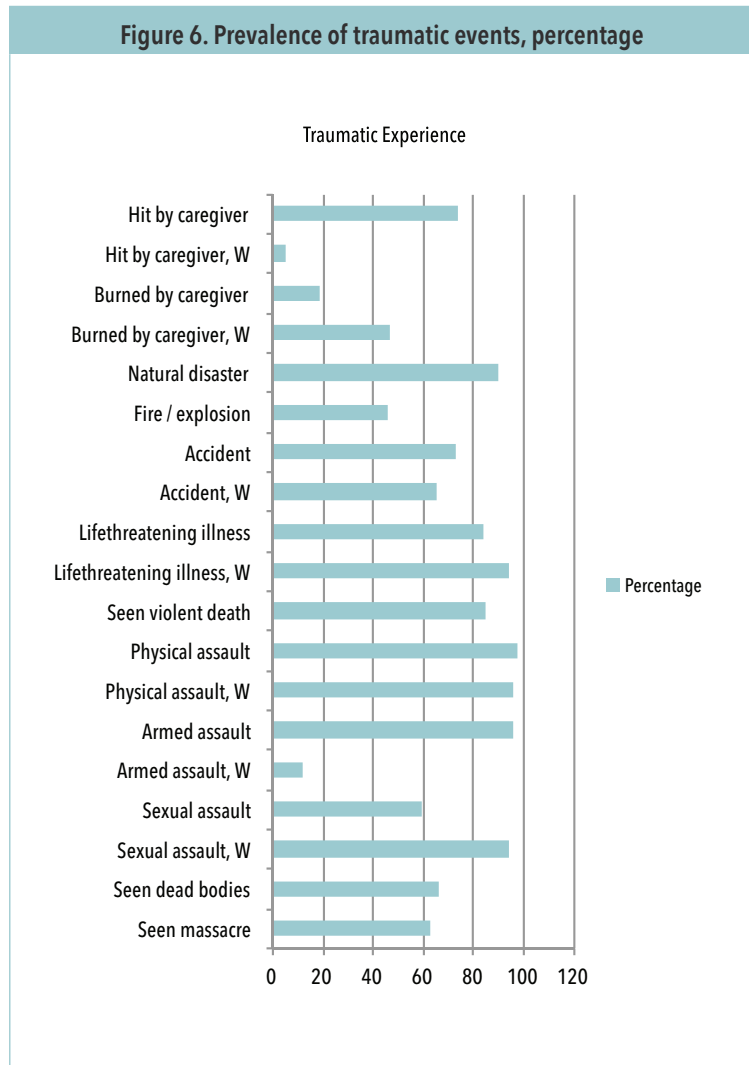
With regard to sexual violence, 12 percent of all respondents disclosed during the interviews that they had been victims of sexual violence while being a soldier. In many cases, their own commanders had been the perpetrators. Further, 60 percent of interviewees reported having witnessed sexual violence.

**Criteria of Traumatic Events.** Participants were victims and perpetrators of violence at the same time. A horrible event is clinically defined as traumatic if it is accompanied by an actual or perceived threat to the physical integrity or life of the respondent or someone else (APA, 1994) and if the person feels intense fear, helplessness, or horror. An experience is also considered traumatic according to these criteria if a person witnesses such an event; for example a soldier experiences a traumatic event when his comrade is killed during combat, even if he himself remains safe and sound. Crucial in the definition of a traumatic event is the individual perception and feelings during the situation, for example, intense fear, helplessness, and/or horror.

The interviewers asked about such events and ensured that they met these criteria. For example, being beaten by a caregiver appears to be a very common experience in DRC and was frequently reported during interviews. It was only rated as a traumatic event if marks were left on the person's body and the person experienced helplessness or horror or actually feared for his life. These extreme forms of beatings by caregivers—qualifying as a traumatic experience—were reported by 63 percent of all interviewees (141 participants).

The following diagram provides an overview of the prevalence of traumatic events which were probed for in this

Figure 6. Prevalence of traumatic events, percentage





### Participant 2086

*"When CNDP captured me, they beat me a lot. They put me into a hole and poured cold water on me. Then they took me out again and beat me again. Then they asked me questions about APCLS. They put me back in the hole and did everything again and again."*

Participant 2086 joined the Mai-Mai APCLS at the age of 14. After three years with the group he went home and was captured by the CNDP.

study. Here, both those events which are experienced as a survivor, as well as those experienced as a witness, are presented. The latter are marked with a "W."

**Witnessing Killings.** Almost all participants, 94 percent, reported that they have witnessed at least one person being killed.

**Physical Assault.** The majority of the participants, 85 percent, had also been physically assaulted themselves. In other words, these participants had been beaten up, kicked, or hit (with sticks but not with other weapons) in such a way that they feared for their lives. In 83 percent of these cases, the perpetrators were members of an AG or force. Often participants reported several such events and by several groups of perpetrators (the latter was reported by  $n = 25$ ).

Even more participants, 95 percent, reported that they had been physically assaulted with a weapon. These figures fit well with the combat experience reported above and demonstrate the active nature of the groups surveyed. Accordingly, 94 percent of the participants had seen a number of dead bodies.

Moreover, 63 percent had been threatened with death by their own commanders. Adding to this picture of generalized violence, 73 percent of the participants had been forced by a superior to beat or injure someone else—in many cases a fellow combatant who was sentenced to punishment for some transgression. Another 36 percent had been forced to kill someone outside of actual combat.

### Participant 2044

*"My commander often gave me orders to beat or kill different people."*

Participant 2044 joined the Mai-Mai Forces Armées Congolaises (FAC) when he was 13. He then changed to the RCD and later to the PARECO.

### Participant 0002

*"One day another soldier stole a pig from a civilian. He was ordered to pay compensation for this, but he refused. So the commander ordered me to kill him. I had to beat him to death. I could not refuse."*

Participant 0002 was part of the FARDC until he was captured by a Mai-Mai group and kept as a prisoner. He was finally released because of his young age. Today, his biggest concern is that his family received no salary from the FARDC while he was a prisoner of war.

### Participant 2045

*"I always ordered one soldier to beat the others as a punishment. In this way they got afraid of each other."*

Participant 2045 joined the Mai-Mai FAC in 2000. He later changed to the PARECO and then to the APCLS. Because he had been to school for 12 years, he was given a higher rank right after he joined the Mai-Mai. In the APCLS he was captain and had around 150 people under his command. Participant 2045 left the APCLS because the group was short on ammunition and had lost many combatants. The APCLS still calls him every day to enquire when he will return.

**Witnessing Massacres.** Of those interviewed, 66 percent had witnessed a massacre, of which 5 percent (or 11 participants) when they were not yet with an AG. About 25 percent of the participants also admitted their own involvement in massacres. These data will be presented in more detail in the next chapter on perpetrated violence.

**Witnessed Sexual Assault.** Fifty-eight percent reported they had witnessed a sexual assault during their time as a combatant or soldier, and all AGs were indicated as perpetrators. FDLR was named 49 times, CNDP 18 times, FARDC 11 times, PARECO 10 times, and the various Mai-Mai groups taken together were indicated 30 times.

Though these numbers must not be considered a representative estimate for perpetrators of sexual violence (because of the composition of the study sample), they demonstrate that a significant portion of combatants and soldiers have witnessed sexual violence being perpetrated by combatants from all sides of the conflict.

**Combatants as Victims of SGBV.** Some participants had been both perpetrators and victims of sexual violence. In total 12 percent reported that they had been sexually assaulted themselves. In most cases the perpetrator was the commander of the victim. As this was the first time participants disclosed this form of violent experience, it is reasonable to assume that this figure underestimates the number of actual victims. Also, reporting sexual violence toward men in a context highly shaped by perceptions of masculinity and being a fighter is not easy to discuss.

One participant (1080) alleged that the abuse and rape of child soldiers was common within the FDLR.

**Post-Traumatic Stress Disorder.** Participants experienced a large number of traumatic events as discussed above and are therefore at risk for developing trauma-related mental disorders such as PTSD or major depression. It is also possible, as discussed in chapter 2, that perpetrating violence and learning to enjoy it might protect against trauma-related mental illness.

PTSD involves three clusters of symptoms: (i) unwanted memories in the form of intrusions, such as flashbacks and nightmares; (ii) avoidance of reminders of the traumatic event, which includes feeling of numbness (avoidance of bodily reminders); (iii) permanent readiness to initiate an alarm response, resulting in sleeping difficulties, alertness, and hyper-reactivity. Further somatic

#### Participant 2041

*"In the CNDP being beaten with a stick is the common punishment. But you can also be punished by being sexually assaulted. This happened to me, too. But the soldiers also rape women."*

Participant 2041 was forced to join the CNDP at the age of 15. He managed to escape during heavy combat.

#### Participant 1054

*"I was raped by my commander. If he humiliates men in this way, imagine what he does to women! I was also sexually abused by a female soldier. This was even worse than the rape by the commander. She forced me to have sex with her twice. Today, I try to avoid women. I do not want to marry. I was coached to do evil by my commander. Evil became part of me."*

Participant 1054 joined the FDLR, together with his parents, in 2005. In 2010 they were terribly beaten by the CNDP and 1054 was separated from his parents. He joined the CNDP to look for them.

#### Participant 1036

*"If you did something wrong, your genitals were squeezed as a punishment. When it comes to raping, soldiers take women. I also did this. I raped many women. And I took part in the killings. I saw so many civilians being killed. And I mutilated people. I want to be a soldier again. Life was easy back then, I could get whatever I wanted. But sometimes I feel guilty and cannot get rid of the pictures of the people I have killed and raped."*

Participant 1036 joined the FARDC when he was 15. But after two months he was told to leave because he was underage. He joined the PARECO, but then decided to escape in 2010.

#### Participant 2019

*"The PARECO often attacked villages to loot and steal. They killed a lot of civilians. Many soldiers rape. They have a need for sex and they just go and satisfy it. But they are not ordered to do it. My own commander was raping me, so I decided to run away."*

Participant 2019 was abducted by the PARECO together with his brother at the age of 16.

symptoms, like tension headaches, are very common.

**Number of traumatic events per person.** Out of 23 possible traumatic event types, 90 percent of the participants had experienced more than 10 traumatic event types. Still 58 percent had experienced more than 15 such event types, and 13 percent had experienced 20 or more types of traumatic events.

**Prevalence of PTSD among (Former) Combatants and Soldiers.** Applying the strict diagnostic criteria as laid out by the international Diagnostic and Statistical Manual for Mental Disorders (DSM-IV), 24 percent of the participants had PTSD. The prevalence of PTSD in the transit camp is slightly higher (26 percent) than in the

ETN center (20 percent). It is thus reasonable to assume that spontaneous remittance is low and a significant proportion of former combatants and soldiers remain mentally ill even if assisted with a spectrum of economic reintegration services, as in the ETN center.

The breakdown of the PTSD diagnosis according to the different AGs is as follows: 27 percent of all participants who were with the FDLR were diagnosed with PTSD, while 27 percent of all the FARDC combatants presented with PTSD. The PTSD prevalence rate for the CNDP and PARECO was equal at 26 percent. Only in the PARECO group did respondents report somewhat lower PTSD symptoms, at 19 percent.

# 8 PERPETRATOR EXPERIENCES AND SELF-REPORTED VIOLENCE

This chapter describes the reported perpetrator events and self-reported violence committed by participants active in AGs. Almost all participants reported having been a perpetrator of violence in the past; almost all had committed armed physical assaults. When asked about violence against civilians, interviewees reported frequently that they had taken food from civilians and attacked civilian settlements and 24 percent disclosed that they had taken part in the massacre of civilians. Reasons given for these brutal forms of violence were: revenge, wanting to harm the enemy, punishment, or unspecified reasons (such as during lootings). No significant differences between AGs were noted.

**Physical Assault.** Of those interviewed 72 percent admitted that they had physically assaulted someone; that is hit (with or without an object), severely kicked, or beaten someone.

## Participant 2043

*"When a civilian does not want to give you his phone or money, you shoot him."*

Participant 2043 joined the Mai-Mai Simba at the age of 15.

Additionally, 90 percent reported that they had assaulted someone with a weapon, most often with a firearm.

**Stealing Food from Civilians.** Three-quarters of interviewees reported that they "had to" take food from civilians to survive.<sup>17</sup>

**Attacking Civilian Settlements.** Slightly fewer than those who had stolen food from civilians, namely 70 percent, said that they had attacked villages or settlements. Here all groups are frequently implicated in such attacks. "Only" two participants, however, reported having attacked a civilian settlement with the FARDC.

**Massacre.** While, as cited above, 66 percent of the participants reported that they had witnessed a massacre, 25

## Participant 1009

*"When we attacked the village, the commander said: 'Kill all—or I will kill YOU.'"*

Participant 1009 was born in Rwanda. He fled to DRC after the genocide, together with his parents. His father was an alcoholic and very violent. He was later forced to join the FDLR.

## Participant 2034

*"The FDLR got weak. This is why they attack villages and looted them. They force people to carry the loot and to join them. They force Congolese to fight against their brothers. This is bad."*

Participant 2034 is Congolese and joined the Mai-Mai Lafontaine at the age of 20. He became a captain in this group. He later left the Mai-Mai to join the FDLR.

percent or 57 persons admitted that they themselves had participated in a massacre. Again, those who had participated in the purposeful killing of numerous civilians are from all AGs. "Only" two participants report that they have taken part in a massacre during their time with the FARDC.

In general, participants had little or no concept of what constitutes a civilian. Many times they spoke about "those who dwell amongst the enemy" or "those who live close to the enemy." Participants made it clear that noncombatants staying with or around combatants or soldiers were considered to belong with them and therefore were seen and treated as enemies.

## Participant 2056

*"We were not even considering civilians as human beings."*

Participant 2056 joined the Rassemblement Congolais pour la Démocratie (RCD) when he was 10 years old and stayed with the group for four years.

17 For further explanation, see Annex 4.

The interviewees describe different types of massacres. First, civilians were targeted in order to harm the enemy or take revenge. Second, civilians were killed as punishment. This could either be for their perceived or actual support of the enemy or—as described by one participant—for direct aggression against combatants. Furthermore, civilians were killed during lootings. Finally, some participants reported the deliberate killing of civilians without any qualifying reason.

Because civilians are not seen as a distinct group separate from enemy combatants, it is often difficult to deal with them separately.

#### Participant 2049

*“One time we were ordered to go to a village which was controlled by the enemy. We were ordered to kill the villagers, not with guns but with knives and machetes.”*

Participant 2049 joined a small Mai-Mai group at the age of 13. He left the group after two years.

Following the same logic, civilians were also seen as an appropriate target for revenge. This can lead to a spiral of violence in which AG attack and kill “each other’s” civilians. Attacking and killing civilians is also sometimes described as a personal form of revenge by combatants,

#### Participant 2088

*“After combat we killed everybody who was left except the beautiful women. We took them with us. We were raping and stealing a lot. For example, one time the FDLR killed our civilians and as revenge we killed their civilians. Another time, the CNDP went to one of our villages and killed civilians. We rushed there and fought against them. It was an intensive fighting, but we won. However, the next day they got support and won. Then we got some more support and entered their camp at night. We launched grenades. Then we went into the rooms and chopped everybody’s head off with machetes. Everywhere was blood. Only 12 people escaped in a pickup.”*

Participant 2088 was abducted at the age of 12 by the Mai-Mai 13th brigade under the command of Akilimali (later Force de Defense Nationale, FDN). He stayed with the group for three years.

who have lost some of their own family members in massacres.

In addition to targeting civilians to take revenge on the enemy, they are also attacked and killed as a punishment. This can either be punishment for actual or perceived support of the enemy or for standing up to the AGs.

#### Participant 1023

*“I had witnessed massacres by the CNDP. To take revenge I also took part in FDLR massacres. In the beginning I thought it was fun to be a soldier, but after my first combat experience I changed my mind.”*

Participant 1023 was born in Gisenyi (Rwanda). When he was nine years old, his parents were killed. He then joined the FDLR and stayed with the group for almost 13 years. Finally, he was caught

#### Participant 2032

*“When I was in the CNDP we fought against the FDLR in a village. The civilians stayed there. They were sure that the FDLR would win and protect them. But the CNDP won. So our commander ordered us to kill all civilians.”*

Participant 2032 became a soldier at that the age of 26. During his 15 years as a soldier and combatant, he fought for the FARDC, the RCD, the CNDP, and finally the FDLR.

#### Participant 2044

*“One day, when I was in RCD, villagers captured one of our soldiers. We, therefore, went and killed all people in their village. My commander often gave me orders to beat or kill different people.”*

Participant 2044 joined the Mai-Mai FAC at the age of 13. He later fought for the RCD and finally for Patriotes Résistants Congolais (PARECO) until he demobilized last year.



Other accounts of massacres included the killing of civilians in the context of organized lootings or events without specific motives.

**Participant 2010**

*"The PARECO often attacked villages to loot and steal and they killed a lot of people then."*

**Participant 2036**

*"When I was with PARECO we killed many civilians. I took part in these killings. And I mutilated many people."*

**Participant 2045**

*"One time, when I was with the Mai-Mai FAC there was a marriage of enemies in a church. There were a lot of civilians, too. We went there and killed everybody in this church."*

**Table 5. Reported committed sexually assault by AG**

"Have you ever sexually assaulted someone else?"				
		Never	Yes	Total
FDLR	N	87	6	93
	%	93,5%	6,5%	100,0%
FARDC	N	9	2	11
	%	81,8%	18,2%	100,0%
Mai-Mai	N	69	8	77
	%	89,6%	10,4%	100,0%
CNDP	N	19	4	23
	%	82,6%	17,4%	100,0%
PARECO	N	10	4	14
	%	71,4%	28,6%	100,0%
Total	N	194	24	218
	%	89,0%	11,0%	100,0%

*Perpetrated Sexual Violence.* Eleven percent of the participants reported that they had sexually assaulted others, with significant differences among AGs. Almost one out of every five former combatants from the CNDP reported having sexually assaulted someone, compared to 7 percent for FDLR and 10 percent for Mai-Mai (Table 5).

**Participant 1071**

*"The FDLR rape a lot. I was not forced to rape; it was just normal in the group to do it. One day I was with some other soldiers and we took a woman and raped her. One after the other. Maybe five of us. We raped a lot. Even children and men, whoever we could get."*

Participant 1071 was abducted by the FDLR at the age of 15. He later fled the group and joined the FARDC. He later had to leave the FARDC because he was still underage.

*Cannibalism.* About 8 percent of participants affirmed they had eaten human flesh<sup>18</sup> or drunk human blood (n =18). It is not clear in all cases whether the

participants did so voluntarily or had been forced to do this. Furthermore, 26 percent reported that they had seen others eating human flesh or drinking their blood. Only a single case took place outside of the context of an AG.

**Participant 1041**

*"Drinking human blood and eating human flesh is part of the military training of the FDLR. Everyone who does not admit this lies to you."*

**Participant 2043**

*"Sometimes when you kill a person you feel the need to eat flesh. You cut off a part of the person, maybe the arm and take it home. You cook it and eat it with fufu. In Mai-Mai Simba we often ate human flesh."*

Participant 2043 was frequently beaten for deviant behavior by his parents. He left his family to escape these beatings and joined the Mai-Mai Simba at the age of 15.

18 For further explanations, see Annex 4

**Participant 2042**

*"I ate the hearts of our enemies to gain strength."*

When participant 2042 lost his parents at the age of 12, he had no more means to pay for his school fees. He therefore decided to join the Mai-Mai, and became responsible for witchcraft within the group.

**Participant 1009**

*"One who was with our unit used to eat human flesh. But I found it disgusting to see the forearm being cooked, because white parts stick out!"*

Participant 1009 was born in Rwanda. He fled DRC after the genocide, together with his parents. His father was an alcoholic and very violent. He was forced to join the FDLR. In the group he too developed a visible alcohol dependency and now, after demobilization, shows visible signs of withdrawal.

**Participant 2077**

*"Mai-Mai cut the genitals of captured CNDP to use them for witchcraft."*

Participant 2077 joined the Mai-Mai Cobra in 2003, but was later captured by the Congr s National pour la d fense du peuple (CNDP) and became a combatant there. But he left the CNDP during the Amani program because he did not want to be integrated into the Forces Arm es de la R publique D mocratique du Congo (FARDC).

**Participant 2073**

*"We ate hearts and drank blood. When a soldier pushed a knife in the body of an enemy it was common to suck the blood."*

Participant 2073 joined the Mai-Mai Forces Arm es Congolaises (FAC) when he was 12 years old. After two years with the group he was dismissed for being too young.

# 9 APPETITIVE AGGRESSION IN EX-COMBATANTS

A significant proportion of former combatants showed higher than normal signs of aggression. They reported that they enjoyed fighting and liked to see their victims suffer. Other reasons given for aggression were: the feeling of satisfaction when harming others (44 percent), having an urge to fight (35 percent), and finding it difficult to resist being aggressive (40 percent). These former combatants and soldiers clearly not only got used to violence, but, over time, came to enjoy it and developed a need to be increasingly cruel. Interestingly, the members of the FDLR reported these statements less frequently compared to other groups. Noteworthy also is the fact that some combatants (8 percent) described combat and attacking others as sexually arousing. A relationship was also observed between difficulty controlling aggression and rank: the higher someone is in rank, the more aggression he reports.

**Satisfaction Gained from Harming Others.** Of all interviewees, 44 percent “agreed a bit” or “strongly agreed” that it can be satisfying to harm another. These partici-

pants reported that they not only fought other combatants or attacked civilians to achieve specific aims, but also for the pleasure of a “manhunt,” which included injuring enemies and victims. The percentage of former FDLR combatants who report this is somewhat lower (30 percent) than for most other groups, and the differences are statistically significant (Cramer’s  $V = .30$ ;  $p < .01$ , Table 6).

**The Urge to Fight.** A significant number of former combatants and soldiers reported that they felt an inner urge to fight. In total, 35 percent of the interviewees agreed that one motivation to be involved in combat was the sensation of a bodily craving or physical need to go out and fight. Some 13 percent reported that at times this urge to fight was so overwhelming that they went into combat even though they knew they might be killed. These former combatants and soldiers agreed to the statement: “I fought because of my hunger (thirst) to fight, even though I knew it could kill me” (*Nilipigana kwa sababu ya kiu ya vita, hata kama nilijua inawezekana ninakufa kwenye vita*). There were no group differences.

**Difficulties Resisting the Urge for Aggression.** The data also shows that for some former combatants and soldiers fighting and acting out physical aggression became, over time, a goal in itself. From those interviewed, 16 percent agreed to the statement: “After I became a good fighter, fighting was the only thing I really wanted in life.” As this comes from former combatants and soldiers who have just voluntarily left their group or force, it is expected that the percentage is higher among active fighters.

Even more participants reported that at the moment when they were committing an aggressive act it was difficult for them to stop, even though their victim might be already defeated or defenseless. Forty percent said, “If I start beating another person it is difficult to stop”, with some differences between groups. While around 29 percent of for-

**Table 6. Reported agreement with satisfaction to harm others by AG**

		"It can be satisfying to harm others."			
		Neither nor	Agree	Disagree	Total
FDLR	N	9	28	55	92
	%	9,8%	30,4%	59,8%	100,0%
FARDC	N	0	6	4	10
	%	0%	60,0%	40,0%	100,0%
Mai-Mai	N	7	45	24	76
	%	9,2%	59,2%	31,6%	100,0%
CNDP	N	3	10	10	23
	%	13,0%	43,5%	43,5%	100,0%
PARECO	N	1	9	4	14
	%	7,1%	64,3%	28,6%	100,0%
Total	N	20	98	97	215
	%	9,3%	45,6%	45,1%	100,0%

mer FDLR combatants agreed to the statement, between 43 percent and 51 percent of the interviewees from the other armed groups and the FARDC affirmed it. A clear relationship between the difficulty to control aggression and the reported ranks is observed. The higher someone

is in rank, the more aggression he reports (Table 7).

**Sexual Arousal during Combat.** A minority of former combatants and soldiers (8 percent; n = 19) reported that attacking others was sexually arousing.

**Table 7. Reported agreement with statement “If I start beating another person, it is difficult to stop” by rank of ex-combatant.**

		“If I start beating another person it is difficult to stop”					
		Strongly disagree	Disagree a bit	Neither nor	Agree a bit	Strongly agree	Total
Supporter	N	10	0	0	1	0	11
	%	90,9%	,0%	,0%	9,1%	,0%	100,0%
Soldier	N	52	10	7	24	21	114
	%	45,6%	8,8%	6,1%	21,1%	18,4%	100,0%
NCO	N	27	2	2	5	11	47
	%	57,4%	4,3%	4,3%	10,6%	23,4%	100,0%
Officer	N	6	6	5	11	15	43
	%	14,0%	14,0%	11,6%	25,6%	34,9%	100,0%
Total	N	95	18	14	41	47	215
	%	44,2%	8,4%	6,5%	19,1%	21,9%	100,0%

### Participant 2083

*“Sometimes you harm others without any reason or order. For example, you see people on a hill and you like to shoot at them.”*

Participant 2083 joined the Maï-Maï Kifuafua at the age of 13. He stayed with the group for eight years.

### Participant 2088

*“I was making others really suffer. We went to steal at night and destroyed all people we met. If we came across a woman we raped her, if we came across a boy we beat him. [...] When we captured an enemy, we asked him questions about the location and strategy of his group. Sometimes he had to show us their places, sometimes we chopped his head off. After combat we killed everybody who was left, except the beautiful women. We took them with us.”*

*“Today, I cannot stay more than four days without sex. When someone provokes me I think about how it would be to chop his head off. For a man fighting is everything. If I hear the sounds of bullets I wish I would be fighting. This thirst to fight is in me. It is like the thirst of a person who likes Coca Cola. The thirst will not be satisfied until the person drinks a Coke.”*

*“I was close to the commander. I liked the group, I was a good soldier.”*

Participant 2088 was forced to join the Maï-Maï 13th brigade under the Command of Akilimali (later the Force de Defense Nationale, FDN) and stayed with them for three years.

# 10 ORDERED VIOLENCE AGAINST CIVILIANS (LEADERSHIP LEVEL)

While the previous chapter discussed the experiences of those who perpetrated violence, this chapter analyzes whether orders were given by the leadership of AGs to commit violence against civilians. Almost nine out of every 10 respondents reported they received orders to loot civilians, almost eight out of 10 to attack settlements, and six out of 10 to burn houses.

Thirteen percent of all respondents reported that they had received orders to rape; however, there were notable differences across AGs. While there were no reports of SGBV-related orders from the ex-FARDC respondents, 30 percent of former CNDP respondents reported having heard orders to commit SGBV. Meanwhile, 8 percent of interviewees reported that abductions of women were ordered for forced marriage.

**Orders to Loot.** Almost nine out of 10 participants had heard orders to “steal goods or food.”<sup>19</sup> While around 8 out of 10 former FARDC soldiers reported this, well over nine out of 10 former combatants from all AG had heard this order. Several participants also reported they set up roadblocks to rob money, salt, oil, and other commodities from civilians, or forced civilians to carry loot. Some of the respondents had been abducted themselves during such lootings.

## Participant 2078

*“We went to villages with guns and machetes to collect food. When we had no money, we made roadblocks. We were beating the people who passed by and taking their money. Then we also made roadblocks on market days. Everybody had to give us a part of what he wanted to sell. Rebels want to fight, because after it they can loot. This is the motivation for fighting.”*

Participant 2078 joined the Maï-Maï in 2008, but left this group the same year.

## Participant 0008

*“We were sent to steal food. Sometimes we were walking for the whole day and walking back the next day. We were like slaves for the FDLR. They forced us to steal food. While we did this, the FARDC was shooting at us.”*

Participant 0008 was a trader who frequently supplied the FDLR with goods. In 2008 they forced him to join their ranks.

## Participant 2054

*“In CNDP we killed a lot of civilians. When they refuse to carry the loot, you just shoot them.”*

When he was 15, he was forced to join CNDP. Later he joined the FDLR.

**Table 8. Reported received or hearing order to attack civilian settlements by AG**

		Order to Attack Civilian Settlements		
		No	Yes	Total
FDLR	N	16	76	92
	%	17,4%	82,6%	100,0%
FARDC	N	3	6	9
	%	33,3%	66,7%	100,0%
Maï-Maï	N	17	59	76
	%	22,4%	77,6%	100,0%
CNDP	N	4	19	23
	%	17,4%	82,6%	100,0%
PARECO	N	1	13	14
	%	7,1%	92,9%	100,0%
Total	N	41	173	214
	%	19,2%	80,8%	100,0%

19 See annex 4 for explanation of perpetrators' perceptions about looting



**Orders to Attack Civilian Settlements.** Almost 8 out of 10 the participants reported that they had received or heard orders to attack civilian settlements (Table 8). As discussed before, most combatants do not distinguish between combatants and civilians, especially as attacks follow lines of tribal/ethnic affiliation.

**Orders to Burn Houses.** A high number of participants from all groups reported that they had heard the order to burn homes. In total 61 percent had witnessed, at least once, the issuing of such an order. Of former CNDP combatants, 74 percent said they had heard this order, of the FDLR 73 percent, of PARECO 72 percent, of the FARDC 56 percent, and of the Mai-Mai 50 percent.

**Orders to Rape Civilians.** In total 13 percent of the participants reported that they had heard or were given orders to rape civilians. Here we see significant differences between groups (Cramer’s V = .20; p < .01). Almost one-third of former CNDP combatants affirmed that such orders were given. Furthermore, 14 percent of former PARECO combatants and 16 percent of former FDLR combatants reported orders to rape civilians. While no ex-FARDC reported this,<sup>20</sup> 4 percent of former Mai-Mai combatants said they had heard such orders (Table 9).

Several participants also mentioned orders to abduct women for the commander. In general a picture emerges in which committing rape is a “regular” part of combatants’ lives. It is clearly tolerated and encouraged by superiors, but may not be frequently ordered.

In order to understand better the role of rank in the context of commanded rape, table 10 compares the data for soldiers versus officers. Although the sample size is too small to provide strong inferences, more officers from both the Mai-Mai and PARECO AG had heard orders to rape civilians than soldiers. Orders to rape were more frequently reported from former FDLR and CNDP soldiers than from officers.

20 Our study worked with too few ex-combatants to be seen as inclusive or representative. The case of mass rapes committed by the FARDC following the orders of Lt. Col. Kibibi Mutuare Daniel shows that the FARDC is not exempt from this type of crime. For a detailed account, see Annex 5.

**Table 9. Reported hearing orders to rape civilians by AG**

		Have you ever heard the order to rape civilians in your group?		
		No	Yes	Total
FDLR	N	77	15	92
	%	83.7%	16.3%	100.0%
FARDC	N	9	0	9
	%	100.0%	.0%	100.0%
Mai-Mai	N	73	3	76
	%	96.1%	3.9%	100.0%
CNDP	N	16	7	23
	%	69.6%	30.4%	100.0%
PARECO	N	12	2	14
	%	85.7%	14.3%	100.0%
Total	N	187	27	214
	%	87.4%	12.6%	100.0%

**Participant 0003**

*“When we went to loot, there was a motto: ‘If you do not find enough, burn the house.’”*

Participant 0003 went to school for six years. At the age of 16 he was abducted by a FDLR commander who called himself Nkundaneza. He was forced to do hard labor for the FDLR, and his main coping strategy was to smoke marijuana.

**Participant 1049**

*“Sometimes we were ordered to burn huts. Sometimes we just did it as revenge against the enemy. To the enemy you are allowed to do whatever you want.”*

Participant 1049 was separated from his parents at the age of four in 1998. A FDLR commander then took care of him. Participant 1049 then stayed in the FDLR for 13 years.

**Table 10. , Reported hearing orders to rape civilians by AG for soldiers and officers**

Have you ever heard the order to rape civilians in your group?					
		Soldiers		Officers	
		No	Yes	No	Yes
FDLR	N	49	12	4	0
	%	80.3%	19.7%	100.0%	0%
FARDC	N	5	0	2	0
	%	100.0%	0%	100.0%	,0%
Mai-Mai	N	31	1	30	2
	%	96.9%	3.1%	93.8%	6.2%
CNDP	N	7	4	2	0
	%	63.6%	36.4%	100.0%	0%
PARECO	N	6	0	3	1
	%	100.0%	0%	75.0%	25.0%

#### **Participant 2041**

*"Soldiers rape women who come from markets. Some commanders order to rape and no commander punishes for rape. They rape to provoke and because they are frustrated. Often one person rapes and encourages the others to rape, too. After a good fight, they took all the girls from the nearest village and every soldier could take one as a reward for the good fighting."*

Participant 2041 was forced to join the CNDP at the age of 15.

#### **Participant 2083**

*"After combat we raped the women of the enemy. There was no mercy. The commanders raped them, too. It was like an order to rape."*

Participant 2081 joined the Mai-Mai Kifufua at the age of 13. He stayed with the group for eight years.

#### **Participant 1027**

*"There are commanders who do not order to rape, but they do it themselves. They are role models for the other soldiers."*

Participant 1027 was abducted together with ten other villagers by the FDLR in 2007. He stayed with the FDLR until 2011.

***Sexual Violence as a Reward, Forced Marriage.*** Finally, we asked participants whether different types of rewards existed in their AG. This included the question whether soldiers could “receive” a “woman, wife, girl, man, or boy” as a bonus or incentive. While none reported that men or boys are given as a reward, around 8 percent affirmed that women are.

Breakdown data shows that with regards to women being given as a reward, six participants said this was the case in the CNDP, seven said this happened in the FDLR, and one each for the Mai-Mai APCLS, Mai-Mai FAC, Mai-Mai FDN, Mai-Mai Kifuafula, Mai-Mai Simba, and PARECO.

#### **Participant 1108**

*“The FDLR uses rape in order to frighten or to punish the population. You can also get girls as a reward to have sex with them, but only for the sake of sex. In the FDLR you do not marry these girls.”*

When participant 1108 was still a child he came to DRC as a refugee. There he was separated from his parents and found by a FDLR soldier. The soldier raised him, and he then joined the FDLR himself in 2009. He finally left the group to go back home and find out whether his parents were still alive.

#### **Participant 1048**

*“If a soldier liked a girl, he just told General Janvier. Then he got a soldier and they went to take the girl by force. This is how we married our wives. If they were talking about a coming battle or an attack, I was always the first to be ready.”*

When participant 1048 was 13 years old his father died. After this loss he could not pay for his school fees anymore and decided to join the Mai-Mai APCLS.

# 11 REPORTED OPINIONS ON MOTIVES FOR SGBV IN DRC

All interviewees were asked how they might explain the sexual violence occurring in DRC. The most common explanations included: (i) “combatants are out of control” (82 percent agreed); (ii) “it happens when combatants are in small groups (gang rape)” (55 percent agreed); (iii) “because of frustration” (54 percent agreed); and (iv) “revenge” (41 percent).

Further, about one-third of all interviewed ex-combatants agreed that (i) “the absence of a wife” (33 percent), (ii) “proving manhood” (32 percent), and (iii) interestingly, “the absence of punishment at leadership level for perpetrating SGBV” (35 percent) are reasons behind SGBV in DRC. Twenty-seven percent agreed to the statement, “Violence against women happens, because combatants/soldiers are ordered to do it.” The lowest level of agreement to this statement was among former FARDC soldiers (11 percent) and former PARECO combatants (15

percent). Thirty percent of former Mai-Mai fighters and 43 percent of both former FDLR and former CNDP combatants agreed with the statement. Twenty-three percent agreed that sexual violence is “used to exercise control over civilian communities” while 49 percent strongly disagreed with this statement.

**Combatants Out of Control.** As detailed in the introduction, many accounts of sexual violence describe it as random acts of sexual lust committed by combatants who are neither controlled by their superiors nor able to control themselves. This interpretation is widely shared among former combatants. Eighty-two percent agree or strongly agree to the statement: “Violence against women happens, because sometimes combatants just get out of control.”

**Personal Frustration and Lack of a Permanent Partner.** In accordance with the soldiers cited by Erikson

**Table 11. Reported agreement to “Violence against women happens when combatants/soldiers feel frustrated about their lives.” by AG**

		Have you ever heard the order to rape civilians in your group?					
		Armed Group or Force					
		FDLR	FARDC	Mai-Mai	CNDP	PARECO	Total
Strongly disagree	n	18	0	8	0	0	26
	%	19,6%	,0%	10,5%	,0%	,0%	12,2%
Disagree a bit	n	0	0	2	0	0	2
	%	,0%	,0%	2,6%	,0%	,0%	,9%
Neither nor	n	34	2	17	7	4	64
	%	37,0%	22,2%	22,4%	30,4%	30,8%	30,0%
Agree a bit	n	15	2	5	7	0	29
	%	16,3%	22,2%	6,6%	30,4%	,0%	13,6%
Strongly agree	n	25	5	44	9	9	92
	%	27,2%	55,6%	57,9%	39,1%	69,2%	43,2%
Total	n	92	9	76	23	13	213
	%	100,0%	100,0%	100,0%	100,0%	100,0%	100,0%

Baaz (Baaz and Stern, 2009), around half (54 percent) of the participants agreed that “Violence against women happens, when combatants/soldiers feel frustrated about their lives.” While agreement is high in all groups, we found significant ( $p < .001$ ) difference among them (Cramer’s  $V = .40$ ). This is mainly because disagreement is generally low (12 percent) and varies widely. Around 20 percent of former FDLR combatants and 13 percent from the Mai-Mai groups disagreed with the statement, while no interviewee who was with the FARDC, the CNDP, or PARECO at the time of demobilization disagreed (Table 11).

Around one-third of participants (33 percent) agreed that “Violence against women happens because combatants/soldiers do not have wives.”

***Proving One’s Manhood and Gang Rape.*** Around one-third of the participants (32 percent) agreed raping women was necessary to prove manhood or strength. More than half (55 percent) agreed with the statement: “Violence against women happens if combatants act in (small) groups.” Many combatants explained that the most dangerous groups for women consist of around three to five combatants. According to them, within groups of this size a dynamic would easily develop that

#### **Participant 2044**

*“Soldiers rape when they have had too many days without sex. They just need it. They are not allowed to bring their wives to the bush. So they need other women. But if you ask a woman who does not know you to have sex with you, she refuses. Then you have to force her. Even commanders rape.”*

Participant 2044 joined the Mai-Mai FAC when he was 13. He then changed to the RCD and later to PARECO.

#### **Participant 2013**

*“No man can stay five years without sex. If they are not allowed to see their wives, they have to take another woman by force.”*

Participant 2013 was forced to join the FDLR at the age of 23. He left the group when he heard about Disarmament, Demobilisation and Reintegration (DDR) on the radio.

#### **Participant 2043**

*“We rape women. How can you stay for two weeks without sex?! Every soldier needs sex.”*

Participant 2043 was frequently beaten for deviant behavior by his parents. He left his family to escape these beatings and joined the Mai-Mai Simba at the age of 15.

#### **Participant 2019**

*“I saw groups of soldiers encouraging each other to rape. Then they negotiated who starts and who comes after. And they all raped one woman. Many soldiers rape. They have a need for sex and they just go and satisfy it. And because of marijuana, soldiers get uncontrolled and do extraordinary things. But they are not ordered to do it.”*

Participant 2019 was abducted by the PARECO together with his brother at the age of 16. He ran away from the group, because he was raped by his commander.

#### **Participant 0008**

*“In the FDLR rapists are beaten to death. But I have also heard FDLR speaking amongst themselves: “I have raped X, I have raped Y.”*

Participant 0008 was a trader who frequently supplied the FDLR with goods. In 2008 they forced him to join their ranks.



encourages group members to act out their sexual and aggressive fantasies. In larger groups, however, perpetrators run the risk that someone with moral concerns might report this crime to the superiors.

***Lack of Punishment for SGBV at Leadership Level.***

Around one-third (35 percent) agreed to the statement: “Violence against women happens because commanders do not punish combatants/soldiers for it.” While only 8 percent of former PARECO members endorsed the statement, a full 65 percent of former CNDP members found it to be true (Table 12).

**Table 12. Reported agreement violence against women happens because lack of punishment by commanders by AG**

		"Violence against women happens because commanders do not punish combatants/soldiers for it."					
		Armed Group or Force					
		FDLR	FARDC	Mai-Mai	CNDP	PARECO	Total
Strongly disagree	n	35	4	32	6	8	85
	%	38,0%	44,4%	42,1%	26,1%	61,5%	39,9%
Disagree a bit	n	4	1	3	0	1	9
	%	4,3%	11,1%	3,9%	,0%	7,7%	4,2%
Neither nor	n	19	2	14	2	3	40
	%	20,7%	22,2%	18,4%	8,7%	23,1%	18,8%
Agree a bit	n	2	0	4	4	0	10
	%	2,2%	,0%	5,3%	17,4%	,0%	4,7%
Strongly agree	N	32	2	23	11	1	69
	%	34,8%	22,2%	30,3%	47,8%	7,7%	32,4%
Total	N	92	9	76	23	13	213
	%	100,0%	100,0%	100,0%	100,0%	100,0%	100,0%

**Participant 2086**

*"The CNDP were raping and killing in villages. They rape during combat. The commanders know about it and rape, too."*

Participant 2086 joined the Mai-Mai Janvier to escape forced recruitment by the CNDP. But he left the Mai-Mai (then the APCLS) and was captured by the CNDP. In January 2009 the CNDP formally ceased to exist as an armed group (AG); it integrated into the FARDC at the onset of Operation Umoja Wetu (January 19, 2009).

**Participant 2081**

*"Lust was pushing us. We were like bandits. Mostly two soldiers went together to rape women. We even sometimes forced sticks into their vaginas. The commanders knew about it, but they did not punish us."*

Participant 2081 was forced to join the APCLS at the age of 13 in 2008.

**Orders to Rape.** Twelve percent of participants reported that they had personally heard orders to rape civilians, as discussed below. Significantly more participants said that this was a reason for the occurrence of sexual violence. A full 27 percent agreed to the statement: “Violence against women happens because combatants/soldiers are ordered to do it,” with the lowest level of endorsement among former FARDC soldiers (11 percent) and former PARECO combatants (15 percent). Thirty percent of former Mai-Mai fighters and 43 percent of both former FDLR and CNDP combatants agreed with the statement. The participants also explained that there were different types of orders for sexual violence. There were explicit and implicit orders to rape women after combat as well

as orders to abduct women.

**Rape as an Instrument of Control.** Of those interviewed, 23 percent agreed that sexual violence is used to exercise control over civilian communities. Meanwhile, 49 percent said this was definitely not the case. A high rate of interviewees (27 percent) were not able or willing to take a position on this question (Table 13).

**Revenge.** Around 41 percent said “taking revenge” is a motive to commit acts of sexual violence, as when one AG or force rapes to take revenge on an enemy group or force. Of these 92 interviewees, 57 gave specific examples (who rapes whom to take revenge on whom).

#### **Participant 2044**

*“When a group is new, the commanders sometimes order to rape so that the group will get known. It was like this for Mai-Mai FAC, CNDP and PARECO. Soldiers can rape because they have guns to threaten.”*

Participant 2044 joined the Mai-Mai FAC when he was 13. He then changed to the RCD and later to the PARECO.

#### **Participant 2077**

*“In the CNDP they raped women. I saw even [name removed] raping women. One time he raped two white women who distributed things to the villages. One of the women killed herself afterwards. In the CNDP we took women by force, some even married women by force. Commanders ordered the soldiers to collect girls for them to rape.”*

Participant 2077 joined the Mai-Mai Cobra in 2003. He was later captured by the CNDP and became a combatant there. But he left the CNDP during the Amani program because he did not want to be integrated into the FARDC.

#### **Participant 1096**

*“I was kept by my commander like a slave. He did not order to rape. In the CNDP to rape was like an implicit order. With enemies you can do whatever you want. Civilians under the control of the enemy are also enemies.”*

Participant 1096 was abducted by the CNDP in 2007. After his battalion was integrated into the FARDC in 2010 he left the army in January 2011.

#### **Participant 1103**

*“Child soldiers were often punished by being raped by grown-up soldiers. And when the soldiers went to loot, they killed and raped. But they protected each other so nobody was punished. During looting everything was allowed: killing, raping, burning houses, or mutilating. It was not an explicit order but there was no punishment and it was clear that it was expected by the commanders. We attacked civilians more often than soldiers. We rarely fought battles against other armed groups but we often went to loot.”*

*“FDLR often took women when they looted, and brought them to their military base as sex slaves.”*

Participant 1103 was forced by his own father, who already was a FDLR combatant, to join the group. He had to work in FDLR-controlled mines, from where he escaped in May 2011.

**Table 13. Reported agreement violence against women happens to control communities by AG**

"Violence against women is used to control the communities to which the women belong."							
		Armed Group or Force					
		Strongly disagree	Disagree a bit	Neither nor	Agree a bit	Strongly Agree	Total
FDLR	n	40	4	26	4	18	92
	%	43,5%	4,3%	28,3%	4,3%	19,6%	100,0%
FARDC	n	2	0	3	2	2	9
	%	22,2%	,0%	33,3%	22,2%	22,2%	100,0%
Mai-Mai	n	44	0	20	3	9	76
	%	57,9%	,0%	26,3%	3,9%	11,8%	100,0%
CNDP	n	7	0	7	3	6	23
	%	30,4%	,0%	30,4%	13,0%	26,1%	100,0%
PARECO	N	7	1	2	0	3	13
	%	53,8%	7,7%	15,4%	,0%	23,1%	100,0%
Total	N	100	5	58	12	38	213
	%	46,9%	2,3%	27,2%	5,6%	17,8%	100,0%

**Participant 1041**

*"The most brutal rapes are committed as revenge. Combatants are allowed to do whatever they want to the enemy and their allies. This way they show who is strongest and who rules."*

Participant 1041 was recruited at his school by the FDLR.

**Participant 2083**

*"When we defeat the CNDP, we rape the women in their area. And they are ordered to do the same in our area. We were always taking revenge on each other."*

Participant 2083 joined the Mai-Mai Kifuafua at the age of 13. He stayed with the group for eight years.

**Participant 2053**

*"Wherever a soldier is, all women are his wives. The Mai-Mai rape the women of the enemy, because they would rape our women, too."*

Participant 2053 joined the *Alliance des Forces Démocratiques pour la Libération du Congo-Zaïre* (AFDL) in 1997. After he had been caught by Ugandan soldiers, he joined a Mai-Mai group and stayed with them for two-and-a-half years.

**Ethnicity.** Some participants reported ethnically motivated violence against women, but only a small number (n = 16; 7 percent) reported that the ethnic or tribal affiliation of a woman increased her risk of being harmed. Most participants affirmed that no specific group of girls and women is targeted. But in the narrations many say that it is “the enemy,” “the women of the enemy” they target—the enemy being an ethnically/tribally composed or specific AG. For participants, there is no difference between an enemy and the civilians that are associated with it.

**Spreading HIV/AIDS.** Around 17 percent of the participants agreed to the statement: “Violence against women happened because armies/AGs want to spread AIDS in the victims’ communities.” Here participants mostly

accused other groups and forces rather than their own of having this strategy. The only interviewees who reported that this was practiced by their own group were two former members of the CNDP. Two former FDLR combatants claimed that the Rwandan government was deliberately trying to spread HIV. One said this was done through sending HIV+ prostitutes; the other alleged that this was done through rape. A third former FDLR combatant said this happened in the past when there were still Rwandese refugee camps in DRC.

**Civilian Perpetrators.** Around 11 percent agreed to the statement: “Violence against women is mainly perpetrated by civilians.” Most interviewees, however, vigorously objected. Some even found the question rather ridiculous.

#### **Participant 1022**

*“FDLR soldiers rape especially women from the Bahunde tribe. CNDP soldiers rape especially women of FDLR soldiers.”*

Participant 1022 was abducted at the age of 18 by the Mai-Mai APCLS.

#### **Participant 2088**

*“Rwandans and Bahunde are enemies. We were often destroying Rwandan women. Sometimes we raped them. Often we inserted a knife or a stick into the vagina and turn it. Later we killed them.”*

Participant 2088 was forced to join the Mai-Mai 13th brigade under the command of Akilimali (later Force de Defense Nationale, FDN) and stayed with them for three years.

#### **Participant 2089**

*“Both rape, soldiers and civilians. But soldiers wait for people and threaten them. There is no consent. For civilians I have heard that it happens when the woman meets a man and likes him, but then she says stop and the man is pushing her.”*

Participant 2089 was captured by the FDLR in 2009.

# 12 REPORTED REASONS FOR THE MOST BRUTAL FORMS OF RAPE

Combatants were asked about the motivation to commit the most brutal forms of rape. These include gang rapes, the insertion of objects (such as sticks or guns) into a body opening (vagina/anus), burnings, mutilation, and, finally, murder. A number of participants denied any knowledge of such criminal acts, or said they have only heard about them on the radio. But many others offered a multitude of explanations for these rapes. Very frequently it was attributed to the use of marijuana. Most frequently reported was the potential of a victim's resistance during sexual violence as well as wanting to silence the victims after perpetrating SGBV. The high number of further explanations offered by the interviewees indicates that the most brutal forms of rape constitute a phenomenon with a multitude of causes. In sum, they were described as evil deeds committed by mentally derailed individuals, as motivated by witchcraft and exacerbated by group dynamics, as purposefully used to

intimidate and take revenge on women, as well as to punish them for resistance during SGBV.

**Marijuana.** The overwhelming majority of those interviewees who attributed the most brutal forms of rape to the mental state of the perpetrators saw the use of drugs as the main reason for the crime. On the one hand this explanation can be seen as an attempt to explain or even excuse what seems unexplainable. By attributing these crimes to drugs, individuals can make it easier for themselves to face that they or their comrades are committing these crimes. On the other hand, there is a very real possibility that the heavy use of drugs contributes to the loss of inhibition displayed during these rapes. Participants also described the perpetrators of the most brutal forms of rapes as "crazy" and "evil." They saw a clear connection between these states of mind and the abuse of marijuana.

## Participant 0011

*"These soldiers are out of control of their commanders and take a lot of marijuana. They kill and rape in a very brutal way. They are evil."*

Participant 0011 is Rwandese. He voluntarily joined the FDLR in 1998.

## Participant 2026

*"It happens because of all the marijuana. It gives them thoughts and ideas that you would think are not possible."*

Participant 2026 joined the PARECO voluntarily in 2007. Two years later he was captured by the FDLR and integrated into the group. He finally left the FDLR because he was tired of life in the bush.

## Participant 2054

*"It happens because the sound of bullets and all this marijuana make you crazy."*

Participant 2054 was forced to join the CNDP when he was 15. Later he joined the FDLR.

## Participant 1081

*"They are very stupid and evil. Maybe because of smoking marijuana. They do not reflect, and the devil controls their mind. In the FDLR adults are allowed to smoke marijuana, but child soldiers are not."*

Participant 1081 was abducted from school by the FDLR in 2000. He was later captured by the Mai-Mai. His capturers cut the word "worthless" into his arm, which is still legible today.

**Frustration and Self-Hatred.** Some participants also reported frustration and self-hatred as one cause of the most brutal forms of rapes. In a vicious cycle these feelings are caused by the experience of violence, its perpetration, and the impossibility of a return to a peaceful life.

#### **Participant 2034**

*"These people hate themselves because of what they experienced in war and combat. They want to destroy other people, too."*

Participant 2034 joined the Mai-Mai Lafontaine at the age of 20. He became a captain in this group, but later left to join the FDLR.

#### **Participant 1063**

*"I do not know. Mostly soldiers, who are bandits, do this. They are evil and cannot go back, neither to their armies nor into civilian life. They are frustrated about life and just want to destroy peoples' life the way they can."*

Participant 1063 was abducted by the FDLR in 2002 at the age of 20.

#### **Participant 2039**

*"There is no special reason, they just like it. They do it because they can. They have the power."*

Participant 2039 was forced to join the PARECO at the age of 14. He was unhappy in the group because of the large numbers of Hutu there. His own friends were members of the APCLS. So he changed to this group later, but left it when he was given a brochure by MONUSCO.

#### **Participant 2075**

*"Soldiers do it, who like to force, because then they feel strong and powerful."*

Participant 2075 joined the Mai-Mai in Masisi in 2008 at the age of 16, but ran away after nine months with the group.

#### **Participant 2063**

*"Mai-Mai say that they are looking for witchcraft on women's bodies or even babies' bodies. They cut breasts, genitals, or ears."*

Participant 2063 joined the ALIR in 1999. He was forcefully demobilized by the FARDC in 2011.

One participant also named former soldiers and ex-combatants as perpetrators of the most brutal forms of rape. He explained that these persons commit the most horrendous acts of sexual violence to compensate for the loss of power they have suffered by giving up their status as combatants. According to this interviewee, these rapes serve to demonstrate to the population that former soldiers and combatants still have power.

A third form of frustration and anger that was used to explain the most brutal forms of sexual violence was prompted by crimes committed against an individual combatant's or soldier's family members. Some were said to take revenge for the violence their mothers or other female relatives had suffered.

**Lust for Power.** While frustration can be seen as sign of weakness, a few participants described clearly that the most brutal forms of rape are born out of a feeling of strength. They see the lust for power as a reason behind these crimes. But when all explanations are taken together, this one played a rather minor role.

**Witchcraft.** A few participants reported that the most brutal forms of rape happen in the context of witchcraft. Either the crime itself serves this purpose, or witchcraft is the motivation for mutilations. One participant alleged



### Participant 2060

*"Mostly the perpetrators are not soldiers. Civilians who want to have witchcraft have to fulfill the task of killing a person or mutilating a person. Not only women get mutilated."*

Participant 2060 joined the Mai-Mai Kifuafua in 2006. He was later captured by the CNDP in an ambush and from then served this group as a captain.

that the perpetrators of rape, which are thought to provide magic powers, are civilians.

**Group Dynamics.** As explained in Chapter 11, gang rape is common. Interviewees described small groups of three to five combatants or soldiers as the most dangerous-sized group of men for women. In a group of this size the perpetrators can easily cover up for one another. These groups are not only prone to commit gang rape, but, according to some interviewees, to further torture their victims. The rapists might thus slide into a competition of cruelty. Individuals who do not want to, or are physically unable, to penetrate their victims with their

penis, might insert objects and/or kill the victim to hide this from their fellows.

**Victim's Ethnic Background.** As discussed in Chapter 11, only around 7 percent of the respondents saw the ethnic or tribal affiliation of a woman as the reason for her being a target for rape, but some interviewees reported that this might be an explanation for the brutality of the crime. While this explanation was mostly brought forward by former FDLR combatants,<sup>21</sup> some former soldiers and combatants from other groups also supported this rationalization.<sup>22</sup>

### Participant 2042

*"It happens because they act in groups and everybody wants to be the first to rape. So it gets out of control and maybe the woman tries to defend herself. But later the soldiers feel sorry."*

When participant 2042 lost his parents at the age of 12, he had no more means to pay for his school fees. He therefore decided to join the Mai-Mai and became responsible for witchcraft within the group.

### Participant 1014

*"Women are raped differently according to their language. Women who speak Kiswahili are raped normally, but if they speak Kinyarwanda, they are raped in a more brutal way or even mutilated just because they are Rwandan."*

Participant 1014 joined the FDLR.

### Participant 2074

*"It is animated by the spirit of destruction. They just want to destroy women. It happens because of the tribal conflicts of Bahutu and Bahunde."<sup>23</sup>*

Participant 2074 voluntarily joined the Mai-Mai Kifuafua in Nyabyondo in 2004 at the age of 12, but later ran away. He was, however, chased by his group and seen as a deserter, so he decided to join the FARDC.

21 For further information, refer to background chapter 2.2.1 and Annex 2. Profile of AG.

22 Annex 1 provides more information about the role of ethnic tensions and motivations for attacks on civilians, while Annex 3 offers a comprehensive account of ethnic and tribal clashes in North Kivu in the recent past.

23 See Annex 3.

### Participant 2006

*"Tutsi people followed the Hutu people to Congo and now they go on to mutilate them. That's why they do this with the women."*

Participant 2006 worked as a pharmacist before he was forced to join the PARECO in 2008.

**Victim's Resistance, and Revenge.** Respondents' most common explanation for brutal forms of rape was that it served to terrorize the victim, and others in the surrounding area. In the rationalization of these interviewees, the perpetrator either took revenge on the victim for resisting the rape, or mutilated/killed her to silence her. Taking revenge on the victim for her/his resistance (or on the group to which the victim belongs) emerged as the strongest motive for the most brutal forms of rape. According to the interviewees, women are mutilated and/or killed

when they try to resist being raped. This reportedly is the case for three reasons. First of all, women are mutilated and/or killed to punish them for their resistance. Second, this serves as a strong signal to other (potential) victims of rape not to try to defend themselves. Third, perpetrators are said to become so angered by the resistance of their victims that they commit further violence against them. Surely, power, anger and control issues play an equal role here.

### Participant 0019

*"The FDLR rapes girls. If a girl refuses to be raped, they take her with force and afterwards they put a knife into her. They do this to punish her."*

Participant 0019 was 13 years old when the FDLR attacked and killed his father and abducted him. After he was brought to the FDLR camp, the commander nailed his arm to a tree (the scars are still visible today). He managed to escape when he was 16.

### Participant 1103

*"Usually it happens if you asked for things and the people refuse to give or they refuse to have sex with the soldiers and they try to defend themselves."*

Participant 1103 was forced by his own father to join the FDLR at the age of 14.

### Participant 2049

*"It happens when women argue. It is a threat to other women who would defend themselves. They should be afraid to be mutilated, too, and so they should not defend themselves. They should be easy to rape."*

Participant 2049 joined a small Mai-Mai group at the age of 13. He left the group after two years.

### Participant 2005

*"Women are asked for sex and if they refuse sex, they are raped in a very brutal way, for example an ear is cut off, to make the women never forget that they should obey."*

Participant 2005 voluntarily joined the Mai-Mai in 2004. Four years later, he demobilized for the first time, but he had such strong feelings of guilt about his past deeds that he felt he could not live among civilians and went back to the bush, where he was caught by the PARECO. He again demobilized in 2011.

### Participant 1048

*"They do it because they want to harm the civilians. They want to destroy their life. In the APCLS it happened if they refused to give money. As a revenge you destroy them and their life."*

When participant 1048 was 13 years old his father died. After this loss, he could not pay for his school fees anymore and decided to join the Mai-Mai APCLS.

### Participant 1062

*"It happens if they resist sleeping with the soldiers. They want to destroy. Often FARDC soldiers did this to Banyarwanda to humiliate them and to demoralize the soldiers of CNDP and their allies."*

Participant 1062 is from Rwanda. He saw his father being burned in his own house during the 1994 genocide. He joined the CNDP in 2007.

**Silencing the Victim.** Several respondents also reported that the most brutal forms of rape not only serve to ensure that future potential victims will offer little resistance, but also to prevent actual victims from reporting the crimes. Obviously, victims of rape who are murdered will not be able to tell their story or seek justice.

Additionally, according to the interviewees, those victims who have been treated most brutally and/or have been mutilated will also be hesitant to report what has

been done to them. The more brutal and outrageous the crimes are, the more shame and hesitation the victim will feel to tell others about it. Unfortunately, this is not only true in the rationalization of the perpetrators, but also fits with our understanding of trauma. The greater the horror experienced, the more it becomes "unspeakable" (see also Chapter 7). Furthermore, combatants or soldiers might rape a woman in retaliation for having accused them or their group of rape.

### Participant 1011

*"It happens because the rapists feel that the women will tell others or blame them. So he has two options, either to kill or to mutilate the woman, so that she is too afraid to tell anybody."*

Participant 1011's parents were killed when he was 12 years old. As he did not know what else to do, he joined the Mai-Mai Akilimali.

### Participant 2089

*"They do it because of hatred. If soldiers have the opportunity, they try to increase the level of cruelty; they want to prevent the women from reporting rape."*

Participant 2089 was captured by the FDLR in 2009.

### Participant 1023

*"These are people of bad intentions. Women could report. They are treated so brutally, because in that way they will never report that they have been raped. For them the woman has no value as a human. Sometimes they want to show the enemy that they are stronger."*

Participant 1023 was born in Gisenyi (Rwanda). When he was nine years old his parents were killed. He then joined the FDLR and stayed with them for almost 13 years. Finally, he was caught by the FARDC, kept in prison, and severely maltreated before being handed over to MONUSCO.

# 13 SEXUAL VIOLENCE DIRECTED AGAINST THE ENEMY'S GROUP

As discussed in the Chapter 2 dealing with the history and character of armed groups in Eastern DRC, and taking into account anecdotal reports gathered alongside the semi-structured interviews, it is clear that most AG have deliberate policies that treat civilians, regardless of age or gender, as if they were either enemies or friends. The distinction between civilian and military is often simply not made.

A further important motivation for sexual violence offered by our respondents—and beyond individual motives—is to harm “the enemy” on a group level. Several motives emerged that all share this feature. Sexual violence can serve to punish women for perceived or actual collaboration with the enemy, to demoralize the enemy, and demonstrate one’s own superiority and power. Again it is important to keep in mind here that combatants and soldiers make no clear distinction between combatants and civilians. Once battle is joined, the only distinction that is relevant to them is that between enemies and friends. This distinction is maintained regardless of age, gender, or evidence of military status. Within this Manichean worldview, friends must be protected and enemies destroyed. The distinction tends to follow tribal or ethnic lines. Women are never perceived as neutral

civilians, but either as part of one’s own group/force or as an enemy (adversary tribal or ethnic group) and thus as legitimate targets. In sum, motives for perpetrating SGBV that related to “harming the group of the enemy” were: as punishment for collaborating with the enemy’s group, to demoralize the enemy’s group, as well as to demonstrate superiority over the enemy.

## Participant 1006

*“Only women who belong to the enemy are raped in such a brutal way, not civilians.”*

**Sexual Violence as Punishment for Collaborating with the Enemy.** Following this logic, women who belong to one’s own group cannot actually collaborate with the antagonistic groups or forces. Several participants, however, reported that women who are suspected of cooperating with or being an ally of the enemy are subjected to the most brutal forms of rape. Again, it must be noted here that any woman who is not a member of one’s own group will potentially be seen as ally of the enemy, and thus, as an enemy.

## Participant 2053

*“Wherever a soldier is, all women are his wives. The Mai-Mai rape the women of the enemy, because they would rape our women, too. [...] It happens if the woman is an ally of the enemy. If soldiers catch her, they do what they want with her.”*

Participant joined the AFDL in 1997. After he had been caught by Ugandan soldiers, he joined a Mai-Mai group and stayed with them for two-and-a-half years.

## Participant 2044

*“It happens when the woman is an ally of the enemy.”*

Participant 2044 joined the Mai-Mai FAC when he was 13. He then changed to the RCD and later to the PARECO.

## Participant 2080

*“Sometimes a woman is suspected to be a spy. Soldiers are then sent to kill her and before killing, they rape her.”*

Participant 2080 joined the Mai-Mai 13th brigade under the Command of Akilimali in 2002. After his first demobilization, he joined the Mai-Mai Janvier (APCLS) in 2005 and stayed with them for about three years.

### Participant 2040

*"The women who get mutilated are spies from the government. They know things."*

Participant 2040 was captured by the Mai-Mai at the age of eight and raised by a colonel. After serving with the Mai-Mai, he integrated into the FARDC. But he later left the government forces and fought for the Mai-Mai.<sup>24</sup> His age at the time of interview was 18.

No known reports from survivors of sexual violence detail women's voluntary collaboration with armed groups or forces. More interviews with both perpetrators and victims are needed to shed light on this discrepancy. Again, the suspicion of collaboration could also be regarded as an excuse to "justify" the violence committed.

***Sexual Violence to Demoralize the Enemy.*** According to our respondents the vulnerability of women in the DRC is exploited to weaken enemies' morale. Following this rationalization it is each group's responsibility to protect the women associated with them. If a group is not able to fulfill this role, it is seen as a weakness or defeat of this group and therefore as a victory for the perpetrators. Perceptions of and attitudes toward manhood, strength, and power hierarchies seem to play a role here as well.

### Participant 1006

*"Only women who belong to the enemy are raped in such a brutal way, not civilians. It is for the perpetrators to show that they are strong and to reduce the morale of the enemy."*

Participant 1006 came with his parents from Rwanda to DRC, but both his parents died when he reached the country. Participant 1006 then joined the FDLR at the age of 10. Later his commander chief, Roy, left the FDLR to form his own group and participant 1006 followed him and was promoted.

### Participant 1056

*"It happens for the sake of destruction. They do it to the women because they are the weakest part of the enemy. It is as if they would do it to the enemy himself. It is a weapon to weaken the morale of the enemy. I have witnessed this being done by the CNDP and the FARDC. It happens quite often."*

Participant 1056 was born in Rwanda. He came to the Congo at the age of 12 in 1994. He lived in a refugee camp until he settled in Masisi in 1996. After his father died, he could not pay for his school fees anymore and life became unbearable. He felt mistreated by the Congolese, because he was Rwandese. Therefore, in 2010, he asked a friend to help him join the CNDP.

### Participant 1009

*"The defeated enemy has to run. The women stay there. So the winner profits from the opportunity of raping them. And when the enemy comes back and sees that the women have been raped, his heart will be in pain. On the other side, these men live in the bush for five years or longer, they do not have a wife. So they just wait at the side of the road and their lust is so big that they rape the women! In this country nobody will know. You will not go to jail and be punished. You just take what you want to take."*

Participant 1009 was born in Rwanda. He fled to the DRC after the genocide, together with his parents. His father was an alcohol addict and very violent. In 1998 participant 1009 was forced to join the FDLR.

24 For more information refer to the DDR background.

***Sexual Violence to Demonstrate the Group's Superiority.*** Some participants also described that sexual violence serves to demonstrate a group's superiority. In this context the respondents referred to superiority over antagonistic groups, not to superiority over the actual victim. Again, women here are described as important objects in this conflict—the ability to either protect or harm them is seen as a sign of strength and serves as a show of force vis-à-vis the enemy. Accordingly, women are not seen as independent agents or carriers of rights and dignity.

#### **Participant 2086**

*"When a woman belongs to the part of civilians that live next to the enemy, they do it. They want to show that they are crueler than the enemy."*

Participant 2086 joined the Mai-Mai Janvier in 2006 to escape forced recruitment by the CNDP. But he left the Mai-Mai (then APCLS) in 2009 and was then captured by the CNDP.

#### **Participant 1080**

*"They are stupid. Maybe when they rape a woman that way they take revenge and want to harm and kill the enemy. They want to destroy them and make the enemy suffer. They even cut the belly of pregnant women to kill the babies."*

Participant 1080 was born in Rwanda and came to DRC in 1994. He was separated from his family when the refugee camps were destroyed in 1996. He then joined the Armée de Libération du Rwanda (ALIR). He went to Congo-Brazzaville with the group to fight with Laurent-Desirée Kabila against the RCD and later returned to DRC to stay with the FDLR.

#### **Participant 2003**

*"Only the young and beautiful survive. The others have to die. Sometimes after a good fight, we chased the enemy away. After that we were allowed to rape the women. If we like we could even kill the children. If the commander allows it, then there is no punishment. But later in life you feel guilty about it."*

Participant 2003 was recruited from a school at the age of 16 by the CNDP. He carries a burn mark with which all young soldiers and cows alike were marked by the commander.



# 14 STRATEGIC AND TACTICAL ASPECTS OF SEXUAL VIOLENCE

As discussed throughout this report, there are many reasons for the sexual violence committed by combatants and soldiers. Clearly, there are also tactical and strategic aspects of sexual violence in the Eastern DRC. SGBV may be employed to demonstrate a group's strength and to draw political/public attention to it, or to terrorize civilians into compliance with the AG's rules.

When looking at strategic motives, it is assumed that AGs perpetrating SGBV intend overall political gain. From a tactical perspective, it is assumed that SGBV is perpetrated to achieve immediate objectives in a particular engagement. The research found evidence of underlying strategic (for example, to gain political attention), tactical (for example, to facilitate lootings), as well as of overlapping strategic and tactical (for example, to control civilians) aspects of SGBV in DRC.

## 14.1 Sexual Violence to Gain Political Attention (Strategic)

Sexual violence can be employed by AGs to draw attention to themselves as part of an overarching political strategy. Several interviewees reported that it was used to gain the attention of the Congolese government as well as the international community, and to demonstrate strength. One respondent reported that sexual violence was employed deliberately to put pressure on the Congolese government. But participants did not explain how they thought their leaders intended this to work nor what response they expected from either national or international actors.

### Participant 1032

*"All armed groups rape because they want to be noticed by the government. The war in the bush is not noticed in town, but rape is reported even to town. It puts the government under pressure."*

Participant 1032 was abducted in March 2009. The CNDP came to his school and killed all pupils in first and second grade, while they abducted all boys from third to sixth grade. Participant 1032 estimates that around 100 boys were abducted alongside him.

### Participant 1096

*"They are rebels. They want to be noticed by the government. New groups have to get known and respected. They want to threaten the government and the international community and to show that they could do even more evil if they wanted to."*

Participant 1096 was abducted by the CNDP in 2007 at the age of 17. His battalion was integrated into the FARDC in 2010. He left the FARDC in January 2011.

### Participant 2055

*"New groups do a lot of bad things to get a reputation and to get to be known by the government."*

Participant 2055 voluntarily joined the Mai-Mai Simba at the age of 15. He later changed to the Mai-Mai Cobra.

## 14.2 Sexual Violence as an Instrument of Control (Strategic and Tactical)

In the previous chapters we saw that combatants and soldiers are divided on the question whether sexual violence is employed as an instrument to control civilian populations. Around 23 percent said that this was the case. While, on the one hand, controlling a specific area could be seen as a strategic objective of an AG, it is also possible that controlling civilians may be regarded as a military tactic used to achieve a strategic objective (for example, to negotiate with the government). One could

conclude that SGBV is used as a tactic that is part of an overall strategy that aims, however vaguely, at improving the position of an AG in the next power-sharing arrangement with the government.

## 14.3 Terror to Facilitate Lootings (Tactical)

Several respondents, either former FDLR or Maï-Maï combatants, reported that different AG were leaving written messages for civilian populations. In the messages they reportedly demanded civilians to leave a certain area or to deliver certain goods. The messages implied that noncompliance would be heavily punished.

### Participant 2077

*"One time, when we were in South Kivu, CNDP wanted to take control of an area, so we raped all the women in the village. The ones who tried to defend themselves got their heads chopped off. The heads were then put on sticks and carried around."*

Participant 2077 joined the Maï-Maï Cobra in 2003. He was later captured by the CNDP and became a combatant there. But he left the CNDP during the Amani program because he did not want to be integrated into the FARDC.

### Participant 1105

*"This is done by FDLR. I saw them cutting off breasts and putting sticks into the vaginas of women. They want to take revenge on the local population who supports the enemy. If they control an area they want the local population to flee with them so that the enemy only finds empty villages and deserted fields. So the enemy goes away quickly and they can come back and still control the area. If the local population refuses to flee, they help the enemy to control the area. If FDLR manage to come back, they do evil to the population to take revenge and to punish them for supporting the enemy."*

Participant 1105 joined several Maï-Maï groups. First he was abducted by the Maï-Maï at the age of 18.

### Participant 2096

*"The FDLR put out announcements to let people know that they will come. When we loot, we forced our way into houses, threatened and beat the people to force them to give us money."*

Participant 2096 was forced to join the FDLR at the age of 15, but escaped the group at the age of 17.

### Participant 2091

*"FDLR often puts announcements on trees like: 'People, you have to give us . . ., otherwise we will kill you.' FDLR and FDN also put out announcements to each other to insult and provoke each other."*

Participant 2091 voluntarily joined the Maï-Maï FDN at the age of 24 and demobilized three years later.

### **Participant 1098**

*"FDLR uses announcements to warn and threaten the population. It can also be revenge to the enemy. We put announcements on trees in the village and say that we will come to collect food. If they dare to inform FARDC, we will destroy the whole village."*

Participant 1098 was born in Rwanda and came to DRC as a refugee. He joined the FDLR in 2008 at the age of 20. He demobilized in 2011 after former FDLR combatants called him from Rwanda.

### **Participant 2090**

*"The FDLR puts announcements to the FARDC on trees. They write something like 'When we meet, we will fight.' They also leave announcements like: 'We will kill and burn every person who is still in this area in two days.'"*

Participant 2090 was abducted by the CNDP at the age of 15. After five months with them he was forced to join the FDLR with his father, but managed to escape the following year.

### **Participant 2083**

*"The CNDP puts announcements in the villages to declare that this land belongs to them or that the country is under their control or that they will fight us. Sometimes it was written: 'Do what we want or we will kill you!'"*

Participant 2083 voluntarily joined the Mai-Mai Kifuafua at the age of 12 and stayed with the group until he was 20 years old.

# 15 SUMMARY

**M**otivations behind the extreme brutality used in many cases of rape in the context of armed conflict in the DRC remains poorly understood and under-researched. This study has been conducted to determine individual motivations, as well as strategic or tactical aspects of gender-based violence of different armed groups and their leadership.

Ex-combatants interviewed belonged to 16 different AG or forces including, among others, *Forces Démocratiques pour la Libération du Rwanda* (FDLR), Maï-Maï groups, *Congrès National pour la Défense du Peuple* (CNDP), *Patriotes Résistants Congolais* (PARECO), and a small sample from the national army. Close to 40 percent of those interviewed had changed from one AG to another at least once. While the educational background of interviewees is weak overall (average number of years of education is 5 and 29 percent are illiterate), at least 14 percent of interviewees spent 10 years or more in school. The majority (64 percent) started as child soldiers under the age of 18. More than half of all interviewees reported to have been forced to join an AG in the first place; levels of forced recruitment are the highest for CNDP and FDLR. For those who had not been physically forced into recruitment, there are multiple reasons for their recruitment, including self-defense or peer pressure. Political motivations are high on the agenda of those who joined a group that believes it has a political legitimacy for its actions, such as FDLR. Participants ranged from former supporters to colonels: 5 percent supporters, 53 percent soldiers, 22 percent non-commissioned officers, and 20 percent officers. Alcohol and marijuana were the main substances consumed or abused and consumption rates reported exceeded 50 percent. Traditional local drugs were also used.

Ex-combatants reported extreme levels of exposure to traumatic events. Almost all had witnessed killings, physical assaults, and had been physically assaulted themselves. Reports on traumatic events also provide evidence of the strict command chain within the AG, as many ex-combatants reported being coerced by threat of death or injury. Out of 23 traumatic event types, 90 percent of the participants had experienced more than 10 different traumatic event types, and 58 percent more than 15. Almost one quarter exhibited clinical symptoms severe enough to qualify for diagnosis of Post-Traumatic Stress Disorder (PTSD) with its related disability for

proper psycho-social functioning, and would require specialized psychological treatment.

Almost all participants reported having been a perpetrator of violence and committed armed physical assaults. One quarter took part in the massacres of civilians and 66 percent had witnessed such events. Furthermore, at least 1 out of 10 reported having perpetrated sexual violence, 8 percent reported having eaten human flesh, and one quarter had observed others eating human flesh.

Reasons given for the brutal forms of violence perpetrated include revenge, wanting to harm the enemy, punishment, or unspecified reasons (such as during lootings), with significant differences between AG. In general, participants had little or no concept of what constitutes a civilian, or made no distinction between armed enemies and a population affiliated to them.

A significant proportion of former combatants reported high levels of appetitive aggression. They reported enjoying fighting and liking to see their victims suffer, feeling satisfaction when harming others (44 percent), having an urge to fight (35 percent), and finding it difficult to resist being aggressive (40 percent). These former combatants clearly not only became used to violence, but over time came to enjoy it and developed a need to be increasingly cruel. Almost 1 out of 10 ex-combatants described combat and attacking others as sexually arousing. Furthermore, former higher ranking ex-combatants reported more frequently that it is difficult to stop fighting once it starts. They not only fought other combatants or attacked civilians to achieve specific aims, but also for the pleasure of a man-hunt, which includes injuring enemies and victims.

High numbers of former combatants reported having received orders to commit violence against civilians, with almost 9 out of 10 respondents having received orders to loot civilians, 8 out of 10 to attack settlements, and 6 out of 10 to burn houses. Overall 13 percent reported that they had received orders to rape. The Maï-Maï and PARECO officers reported more frequently than soldiers to have received orders to rape, and CNDP and FDLR soldiers reported to have received such orders more often than officers.

When asked about their explanations and opinions about the causes for SGBV in Eastern DRC, the most common

opinions given by ex-combatants are that: (i) combatants get out of control (82 percent); (ii) it happens when combatants are in small groups – gang rape (55 percent); (iii) because of frustration (54 percent); and (iv) revenge (41 percent). Furthermore, about one-third agreed that the absence of a wife, proving manhood, and having the opportunity to commit a violent act without punishment from the leadership are reasons for SGBV. Overall, more than one quarter agreed that violence against women happens, because combatants/soldiers are ordered to do it. The lowest level of agreement to this statement was found amongst former *Forces Armées de la République Démocratique du Congo* (FARDC) soldiers (11 percent) and former PARECO combatants (15 percent). Thirty percent of former Maï-Maï fighters and 43 percent of both former FDLR and CNDP combatants agreed with the statement.

Concerning the most brutal forms of sexual violence, such as gang rapes, the insertion of objects, burnings, mutilations, and killings, ex-combatants identified numerous reasons. Among these, the use of marijuana was frequently cited as a factor. Other responses were the resistance of the victim or the desire to silence them after they had been violated. A further important motivation for excessive sexual violence offered by our respondents goes beyond individual motives. They suggested that the intention in these cases is to harm “the enemy” as a group. It is important to keep in mind that combatants and soldiers in this study make no clear distinction between combatants and civilians, but rather identify who is “with us or against us.” Hence, civilians associated with the enemy are not perceived as civilians but as enemies.

# 16 CONCLUSIONS AND RECOMMENDATIONS

A number of inter-related reasons for violence committed by combatants and soldiers were identified. Central is the human potential for developing a pleasurable perception when perpetrating violence, an act that becomes rewarding in itself and reinforces on its own violent behavior under lawless circumstances, in concert with the concept of ‘appetitive aggression’. Many former combatants reported that they perceive perpetrating violence as arousing and fascinating and the experience of living in a violent environment such as in an AG may increase the level of appetitive aggression. Appetitive aggression in this sense appears to be adaptive in combat and rewarding for combatants (Elbert and others, 2010). This is also confirmed by the observed clear relationship between higher ranks and increased levels of this form of aggressive behavior.

The violent context fosters sexual violence, supported by individual motivations such as the need to fulfill sexual desire. In addition, there are underlying strategic (e.g., gain of political attention), tactical (e.g., facilitating lootings), as well as overlapping strategic and tactical (e.g., control of civilians) aspects of SGBV in Eastern DRC.

It is unclear to what extent these reasons are put forward as justification for brutal sexual excess. The FDLR, CNDP, and Maï-Maï ex-combatants often reported that sexual violence happens because soldiers are ordered to do it. In addition, a sizeable proportion reported that the absence of punishment was a reason for perpetrating SGBV. Thus, explicit and implicit orders for sexual violence seem to be common throughout the AG in Eastern DRC.

Furthermore, ex-combatants were not only perpetrators of violent acts, they were also victims of violence themselves, resulting in one quarter of former combatants suffering from PTSD. At least 1 in 10 ex-combatants reported having been sexually assaulted/raped in their AG (frequently by their own commanders). The possible effects of simultaneously being a survivor and perpetrator of sexual violence require further exploration.

In summary, individual motives of perpetrating SGBV are closely interrelated with tactical and strategic motives of armed groups which reinforce each other.

Obviously, ending the period of conflict, violence and insecurity in Eastern DRC would contribute tremen-

dously to addressing the high levels of ongoing SGBV. This requires, among others, addressing the social and economic drivers of conflict and instability which are historically deep-rooted, and driven by a complex mix of political, security, social and economic factors (World Bank, 2013).

Also, it is widely recognized that SGBV is a complex problem requiring an integrated and multi-sectoral response, even more so in a fragile environment with ongoing conflict, such as in Eastern DRC. Responses to violence against women need to address, among others: health sector including physical and mental health issues, the criminal-justice sector, economic empowerment, community development (promoting equitable access to resources for women and men), prevention of violence (e.g., through formal and informal education), and advocacy at the community, national and international levels. Any effective response must combine enforcing laws and prosecuting perpetrators to break the cycle of impunity, while addressing the individual and societal wounds, and working to prevent a normalization and recurrence of sexual violence.

The following recommendations are related to the findings of this study and focus especially on the perpetrator side of SGBV.

- **Address the impunity issue.** Strengthen the judicial system in the DRC to apprehend and prosecute perpetrators and to effectively implement the 2006 Law on Sexual Violence, which broadened the definition of sexual assault and toughened punishment for convicted offenders. Successfully prosecuting cases of high level perpetrators would send strong signals to state and non-state armed combatants. In addition, develop improved mechanisms to collect (forensic) evidence of SGBV to facilitate international, regional and national efforts to prosecute perpetrators.
- **Include screening mechanisms for mental health issues in reintegration programs.** Reintegration programs for ex-combatants, either into the national army, or as civilians into society, should screen former combatants for trauma symptomatology, including PTSD. Programs should provide treatment following a needs assessment. In addition, specific criteria for exclusion should be included in those



programs that facilitate reintegration of former combatants into the national army. For example, former combatants suffering from PTSD or appetitive aggression should not be reintegrated into a national army.

- ***Break the cycles of violent behavior of former combatants.*** Develop approaches to reinstate social norms of nonviolent interaction for former combatants impaired by trauma-related disorders such as PTSD or aggressive patterns of behavior. These approaches should provide former combatants with tools to remain calm in stressful situations, to plan and follow-up on realistic goals for the future as well as to initiate and sustain non-violent relationships. These approaches would combine therapy targeting symptoms of post-traumatic stress, as well as tendencies towards violent behavior. As Ms. Zainab Hawa Bangura, UN Special Representative of the Secretary-General on Sexual Violence, states there is a need to also “mentally disarm former combatants”.
- ***Safeguard against (re-)recruitment.*** Strengthen information, sensitization, and awareness activities to prevent (re)-recruitment of combatants and violence. Educate at-risk populations (including parents and the wider community) about the negative consequences of joining an AG, including informing them of the use of false propaganda by many AG. Former combatants could speak out publicly about their traumatic experiences, including sexual violence within AG. These efforts should include, among others, the national government of the DRC, as well as local government, international actors and development partners, local communities, violent actors, and victims’ associations and representatives.
- ***Dismantle the perception of civilians as “enemy”.*** Support programs focused on rebuilding trust within communities and between communities and the state to address intercommunity hatred and build/restore social cohesion through broad based community development programs. At the same time, reconsider current civilian protection programming in light of the findings that all civilians are perceived as enemies if not collaborating with AG perpetrators.
- ***Include men in programs addressing SGBV.*** Increase understanding at the international, regional, national and community level for the need to include men in programs addressing SGBV. These programs must acknowledge men’s multiple roles as perpetrators as highlighted through this study, but also as witnesses to SGBV, victims of sexual violence, service providers (e.g., health workers, police, peace-keepers and other workers in demobilization and reintegration initiatives), decision-makers and policymakers, and change agents. Including men in programs addressing SGBV is especially important for prevention.
- ***Support SGBV prevention.*** This will require broader actions to raise the status of women in the DRC, such as strengthening their legal capacity and property rights, improving their access to land and economic resources, building their human capital through education and skills development, easing their overall workloads, and channeling resources to them in the agricultural sector. In addition, these efforts should include sensitization against SGBV among AG, as well as improving discipline and attitudes with regards to civilians, especially vis-à-vis women, and strengthening implementation of a code of conduct among the FARDC regarding SGBV.

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# **ANNEXES**



# ANNEX 1

## Brief discussion of ethnicity and tribal affiliations in respect to concepts of identity

*Whether or not we are driven by deterministic forces, each of us must bear full responsibility for the choices we make whether or not to be destroyers. There can be no forgiveness; there can be no dampening of our outrage and protest against the killing of men. My desire is to understand how these terrible events come to be and what we might do to stop them, not to forgive them (Charny, 1982).*

### 1. Controversial Terminology

Depending on the author, Congo is said to be home to 200, 250, 365, 400, or 450 ethnicities<sup>25</sup>, with groups mentioned in this report falling under varying categories, again, depending on how different authors categorize them. Ethnological/anthropological concepts of ethnicity and tribal affiliations and their origins have undergone considerable change over time and are still the subject of controversy. It is therefore not possible to base a discussion on authoritative definitions of the relevant terminology. However, certain terms are in common use in the Great Lakes Region of Africa, either in official wording or in unofficial discussion, including “indigenous” (Willame, 2010; International Alert), “natives” (Collier and Sambanis, 2005), “autochtones” versus perceived “foreigners” or “migrants” or “allochtones”. (Kambere-Muhindo).

In addition to differences in understanding of terminology, the vocabulary used in political discourse may be heavily loaded with pejorative implications, sometimes connected to dubious versions of history. In the Great Lakes Region (GLR), ethnicity is sometimes connected to migration and perceived injustices committed against previous inhabitants, most often involving disputed land ownership. Such rhetoric has the potential to generate murderous levels of xenophobia. A well-documented example of an extreme case of such political rhetoric is Leon Mugesera’s demagogic speech, made in 1992 in Gisenyi (today Rubavu, Rwanda) in which he used tribally motivated extreme language to incite a massacre of opponents.<sup>26</sup>

This is an extreme example illustrating how perceptions of migration history led to conclusions touching at the heart of rights associated with citizenship and belonging, including rights of land ownership and ultimately denial of the right to exist. This type of inflamed rhetoric played an important role in the 1994 Rwandan genocide (Thompson, 2007) and in other genocides of the 20th century (Hinton 2002).

Given connections between rhetoric aimed at dehumanizing and ostracizing groups in the recent past and the unspeakable atrocities that ensued, the subject of ethnicity remains extremely sensitive, particularly in the GLR. All Armed Groups (AG) in the region with perceived self-defense agendas use ethnic and tribal identifications in one way or another. Hence, it is important to understand the semantic and emotive load carried by language used (and abused) to refer to ethnic or tribal identity by the participants of this study.

Tribal and/or ethnic identifications used in the context of violent conflict in the Kivus refer mainly to two community groups: the “Bantu” group and the “Nilotic”. Numerous AG have been created, and continue to be created, using tribal/ethnic self-defense agendas as justification for their violent agendas and actions. They present themselves as polarized

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25 [http://fr.wikipedia.org/wiki/R%C3%A9publique\\_d%C3%A9mocratique\\_du\\_Congo#Ethnies](http://fr.wikipedia.org/wiki/R%C3%A9publique_d%C3%A9mocratique_du_Congo#Ethnies).

26 “Their penalty is death and nothing less. Your country is Ethiopia, and we are going to send you there very soon via the Nyabarongo (Nile river in Rwanda) express route. That is it. I repeat that we are soon going to get to work”. Translation from <http://www.rnanews.com/politics/5690-translated-venomous-speech-of-troubled-leon-mugesera>, AFP, May 2012.

by “Bantu” versus “Nilotic” identity frames,<sup>27</sup> while the extreme minority group of pygmies seems to be of no importance other than falling victim at times. There are numerous subgroups clustered around each pole. The Bantu groups in particular have a large number of smaller groups created around tribal identities responding to shifting alliances and momentary opportunities to advance their own group at the expense of another. Rivalries, such as that between the Hutu and Hunde groups, may generate friction but these generally, though not exclusively, take second place when a threat from a common arch enemy “Nilotic” group is perceived. For this study, only the “Tutsi” groups manifest in or affiliated with either the *Congrès National pour la Défense du Peuple* (CNDP) or, more recently, M23 in North Kivu and some similar Tutsi-based groups in South Kivu are considered.

Richard Kandt (1904) reports the presence of a Kinyarwanda-speaking population in the Kivus of all (by then) known Rwandan tribal/ethnic affiliations as early as 1901, especially in the “southern North Kivu Province of today. However, he does not make mention of extraordinary tensions between them and other tribal groups he found present.

Willame (2010) and International Alert make reference to polarized animosities between the perceived “indigenous,” in the Kivus others use the terminology “natives” (Collier and Sambanis, 2005) in that context, and Kambere-Muhindo (no date) speaks of *autochtones* versus perceived “foreigners” or “migrants” or *allochtones*.

Willame (2010) mentions the colonial land institution *institution foncière coloniale* of the *Comité National du Kivu* (CNKi) attributing land to colonial farmers, which earned little sympathy from the locals. He explains that the colonial administration in the east, the CNKi, created the *Mission for Immigration of Banyarwanda* as early as 1937. An estimated 200,000 people migrated under the auspices of this agency, most of whom served in the colonial labor force and for other miscellaneous purposes. Willame, citing René Lemachand, also makes reference to the migration of “Bafumbiro,” Uganda-Rwandans, and mentions: “this situation [already at that time there was land shortage and competition over land ownership] . . . was judged by the colonial administration as ‘catastrophical’ and having ‘all ferments of serious political and social unrest’”. The actual breaking point, in the true sense of the word, might have been on August 11, 1910 when, as per the “Kongoakte” of Berlin, the final border lines became effective and the Banyarwanda living west of the line became Congolese overnight.

## 2. The Role of Ethnic Tensions in Attacks on Civilians

Recent research clearly identifies land ownership issues and ethnic tensions as interlinked roots and key to the conflicts in the area of this research (SFCG, 2012a and b). The following quote from the Centre for Peace and Conflict Studies (CPCS) provides an excellent summary of the element of ethnic tensions and subsequent violence against civilians (CPCS, 2011).

*Ethnic Tensions.* “One of the tactics of disorder in the Kivus and in the Democratic Republic of Congo (DRC) in general has been the manipulation of ethnicity and ethnic tensions by political, military, and civil society leaders. For example, in May and June 2004, dissident soldiers rebelled and captured the city of Bukavu, South Kivu from government control. Both the state and the rebels committed war crimes and atrocities against the local population, who were often targeted based on their ethnicity. Fearing reprisals, thousands fled the area and 150 people, mainly women and children who fled to Burundi, were killed in August 2004 in what is known as the Gatumba Massacre. Tensions continue to be heightened between the Tutsi and Banyamulenge peoples—who are considered to have come from Rwanda during Belgium occupation and are still perceived as outsiders who have “stolen” land, and other ethnic groups in Eastern DRC. In some places the animosity against the Tutsi is directed against all people with ties to Rwanda. In retaliation for the attacks, the Rwandan government threatened to intercede on behalf of the Tutsi and Banyamulenge, creating fear among the Congolese who suffered under the Rwandan occupation from 1996-2002. When Banyamulenge refugees returned from Burundi to the town of Uvira in October 2004, they and the MONUC soldiers tasked with protecting them were attacked. This demonstrates how ethnic tensions, which stem from real historical grievances, incite violence and anger, and can be used by rebel factions to garner support for their causes or camouflage true motives for violence.”

*Attacks on Civilians.* “The brutal attacks on civilians in the Kivus have become a hallmark of the continued conflict,

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27 The concepts of “identity frame” and “identity trap” are taken from Du Preez (1980).

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as distinctions between civilians and combatants have been confused and blurred. Soldiers and combatants from all sides—rebel factions, the national army, and even the UN—have targeted civilians, a clear threat to human security in the region. Survival and any type of further human development and opportunity are swept aside by the violence. Some of the worst atrocities include displacement of large numbers of the population, rape, forced labor, abduction, torture, murder, the recruitment and use of child soldiers, and the destruction of property. As civilians flee the eruptions of fighting, their movements internally and across international borders have contributed to the instability in the region. The illegal distribution of firearms to civilians by authorities in North Kivu in late 2004 is an example of the chaotic nature of the conflict and of the shifting alliances that take place as some of these firearms were used by civilians ‘to harm, rob, or intimidate others.’”



# ANNEX 2

## Profile of Armed Groups

This annex provides a brief overview of AG of relevance to this research. Four categories of AG are considered here:

- Groups participating in the Goma Conference of 2009, including those that were created or re-created to participate in the conference (known as *résiduels*).<sup>28</sup>
- Groups created after the Goma Conference (groups *réfractaires*).<sup>29</sup>
- Miscellaneous groups and bandits.<sup>30</sup>
- Foreign Armed Groups

### I. GROUPS PARTICIPATING IN THE GOMA CONFERENCE OF 2008

#### 1. Mai-Mai Groups

**Mai-Mai** are a tribal, or alliance of tribal, militia with a mainly territorial self-defense and resistance agenda. The term first appeared in an uprising of locals in German East Africa (today Tanzania). The Mai-Mai movement seems to originate from the village of Ngarambe in the Matumbi mountains of southwestern Tanzania, where in 1904 a witch by the name of Kinjikitile spread the message that a ghost named Bokero had manifested itself in the Rufiyi River in the form of a snake called Kolelo. This snake had given him a magic medicine (Dawa), called “Maji” (Kiswahili word for water) (Nuhn, no date). Resistance against the German colonial power cumulated in the Mai-Mai Rebellion from 1905-1907. The belief that holy water would make combatants bulletproof, or turn bullets into water, seems to originate from this.

It seems Mai-Mai only reappeared in the 1960s in Congo/Zaire under its creator and leader Pierre Mulele and re-emerged, though it had never completely disappeared, in the course of the recent Congo wars, mostly during fighting against the Rwandan occupation. Just as in the former “Deutsch Ostafrika,” belief in supernatural powers and the magic power of their “holy water” applied by their witch doctors (docteur Mai Mai), remain important elements of the Mai Mai combat motivation and performance today, besides the community self-defense agenda and social and economic gain. The use of human body parts in the context of magic practices and cannibalism has been reported from several groups.

##### 1.1. Mai-Mai Kifuafua

History. The Mai-Mai Kifuafua<sup>31</sup> are one of the oldest Mai-Mai groups (*résiduel*) who obey their former leader, Major-General Padiri, who integrated into the *Forces Armées de la République du Congo* (FARDC). While waiting to be called for the “**brassage**” process, the Mai Mai Kifuafua were frustrated by the extensive delays and obstacles of the reintegration process, as well as the relapse into conflict by the CNDP (2007/2008). Following the creation of the *Patriotes Résistants Congolais* (PARECO), the Mai-Mai Kifuafua decided to no longer obey the official chain of command, but to prepare for eventual attack by the CNDP or PARECO.

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28 This overview of AG is largely based on Walimba, 2009

29 This overview of AG is largely based on Walimba, 2009

30 This overview of AG is largely based on Walimba, 2009

31 The term “Mai Mai Kifuafua” was created for the Goma Conference to make a distinction from other Mai Mai groups. Kifuafua means “chest,” as Mai Mai fighters show their chest when in combat (often combat naked).

Narration from an interview with a former child soldier (Schauer, 2009).

“... first there was an introduction ritual, which all children had to go through... You took a sort of medicine and afterwards there was no way back out of the group (Maï-Maï)... This medicine would shoot through your body like fire and make you feel strong and absolutely unbeatable. It would take away all fear. How was this medicine prepared?... He put one of the human lungs on a fire and roasted it to the point where it was almost charcoal... This lung was then pounded and powdered... Another ingredient was the ‘intelligence’ of small children... The master was a strong man, he could crush the skull of a baby with one hand. Usually we would get 1-2 small children a week. We would wait at places where women pass and forced them to release their babies to us. Usually we would go for the small ones, who were still carried on the back. The master had a magic cream, which he applied on the eyelids, the head and the lips of the baby. The children would fall asleep immediately. This way we could carry them to the river. After darkness the master would invoke the spirit of the water and we would walk into the river. There the master would crush the child's head and scoop out the brain with his hands. He never took all, he always left some brain behind for the water spirit. We also cut the penis if it was a boy and took his eyes, and the vaginal lips and breasts if it was a girl. Sometimes we also needed toes of adults. Those were cut off as well. Then the master would let the bodies swim away in the river, now they were gifts to the spirit of the river... The ‘medicine’ was then made that day or the next morning and also consumed fast.

Before battle everybody is given a little bit of the medicine mixture to drink... It protected us from the bullets of the enemy and it made us fearless... Then at the river the master would evoke the spirit of the river and a snake would appear around his neck. It was a snake colored like a rainbow, with stripes of red and yellow and green and black.<sup>32</sup> The snake said ‘don't fear me’... The snake was the master's friend and nobody knew about it... definitely the snake was necessary to make the ‘medicine’... powerful.

**Location.** In 2009 their headquarters were located in Busurungi in the “*groupement de Waloa-Loanda*” of the Walikale Territory. They are active in a part of the Walikale territory and of the “*groupement de Ufamandu*” in the Masisi Territory.

**Motivation.** The Maï-Maï Kifuafua key motivations include: (i) a need to fight the *Forces Démocratiques pour la Libération du Rwanda* (FDLR) and CNDP; (ii) discontent over being left behind after having fought alongside Laurent Désiré Kabila with the Alliance des *Forces Démocratiques pour la Libération du Congo-Zaïre* (AFDL) in their struggle for power as far as Kinshasa; and (iii) discontent over the extension of the Parc National de Kahuzi Biega without consultations with local authorities. Though the Maï-Maï Kifuafua claim CNDP, PARECO, and FDLR as enemies, there is clear evidence that they collaborate with the PARECO and FDLR (identification as “Bantu” group) and have the CNDP (identified as “Nilotics”) as their only real enemy.

**Affiliation.** Even though the majority of Maï Maï Kifuafua combatants are Tembo, somehow this is the only homogenous group integrating larger numbers of combatants from other Bantu tribal origins (including, among others Nyanga, Hunde, Nande, Hutu, Rega, Shi, Bembe, and Fuliru), many of whom had previously belonged to other AG.

**Presence of Regular Forces.** Among the Maï-Maï Kifuafua there are elements of the FARDC and the Police Nationale Congolaise (PNC) who are dissatisfied with their rank and/or function and have switched allegiance, though not necessarily openly. There are some reported cases of members appearing in FARDC or PNC uniform during the day and joining the Kifuafua at night.

**Collaboration with Other Forces.** The Maï-Maï Kifuafua collaborate(d) with all AG other than the CNDP and the *Forces Républicaines Fédéralistes* (FRF), but oppose(d) the FDLR whom they see as a movement of foreigners who came to destabilize, invade, and exploit Congo's wealth. Nevertheless, under certain circumstances such as avoiding reprisal, they collaborate with the FDLR.

**Recruitment.** The Maï-Maï Kifuafua recruit among civilians and the FARDC, PNC, demobilized Congolese fighters,

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<sup>32</sup> The description does not fit exactly any actually existing snake species in the DRC. But most likely and closest to the description might come the in-offensive and easy-to-handle red-and-black-striped snake *Bothrophthalmus lineatus* (Peters, 1863) (vernacular: “Mongi” [tembo], or “Sangani” [rega]), as it is known to be used for magic practices and is aquatic.

and other local AG. They offer promises of higher ranks. New recruits undergo a probation period during which they are observed closely until they win trust.

**Subsistence.** The Mai-Mai Kifuafua live mainly on the “voluntary contributions” by the population of the area they control, who have no other choice but to contribute. Furthermore, they raise “taxes,” cultivate, and hunt game animals. The combatants do not live in barracks nor hold permanent military positions, apart from those who guard their commanders. The Kifuafua are simply present in every village under their control. They only carry their arms on market days to intimidate the population when collecting “taxes” or in case of threat or attack.

### 1.2. Mai-Mai Kirikicho

**History.** The Mai-Mai Kirikicho, are a “residual” group who followed Major General Padiri. Most of them are either integrated into the FARDC or demobilized by the Programme Nationale de Désarmement, Démobilisation et Réinsertion D.R.Congo (PNDDR). They returned to armed combat when the army integration/PN DDR process was interrupted by new hostilities with the CNDP and the creation of new AG such as PARECO.

**Location and Structure.** In 2009 the headquarters of the Mai-Mai Kirikicho was Ziralo in the Kalehe Territory. The group has no political structure, their current President is Longangi Kanyere and their military commander is Colonel Kirikicho Mirimba Mwanamayi .

**Motivation.** Similar to the Mai-Mai Kifuafua, the Mai-Mai Kirikicho justify their combat by two principal reasons: (i) to counter new aggression by the CNDP in 2008-2009; and (ii) to fight the FDLR/FOCA.

**Affiliation.** The majority of combatants of the Mai-Mai Kirikicho belong to the Tembo, Havu, Shi, and Rega tribes (Bantu block).

**Presence of Regular Forces.** There are some elements from the FARDC and PNC among the Mai-Mai Kirikicho who have been marginalized within the FARDC, and who expect to obtain higher ranks within the Mai-Mai Kirikicho.

**Collaboration with Other Forces.** The Mai-Mai Kirikicho collaborate with the FARDC, PNC, PARECO, FDLR-FOCA (see remark under Kifuafua), Mai-Mai Kifuafua, and other local AG (other than the CNDP and FRF).

**Recruitment and Subsistence.** Same as Kifuafua.

### 1.3. Mai-Mai Simba

The Mai-Mai Simba are a “residual” group, under the direction of Hodaf Mungo Kalinda. Their headquarters is Mungele and they are under the command of Mandro Mando. They include combatants from the Barega and Bakusu tribes. This small group is active in the Pangi territories of Maniema and around Ntonto, Kimua, Langira, in the Wanianga collective of Walikale Territory, and Kashebere in the Masisi Territory of North Kivu. Their key motivation is opposition to the existence of the Maiko National Park.

## 2. Patriotes Résistant Congolaise – Force Armées Populaire

**History.** The *Patriotes Résistant Congolaise – Force Armées Populaire* (PARECO-FAP) was created in 2007 in Pinga at the border between the Walikale and Masisi territories as a counter reaction to the initiative of General Laurent Nkunda.

As will be discussed further, one of the key motivations of the CNDP was to protect its (Tutsi) minority population from alleged plans for their elimination by other Kivu communities. Other tribal/ethnic groups saw this as a threat. In response, Colonels Mugabo (Hutu) and Sikuli La Fontaine (Nande), both officers of the FARDC, created PARECO.

In their view, the CNDP was created with the objective to exterminate those Hutu who did not want to join their movement (CNDP). In turn, all young Hutu needed to join PARECO to protect the Hutu community from this threat. Later, Colonel Mugabo found support from other ethnic communities of North Kivu, including the Hunde, Nande, and Nyanga. The following four warlords created PARECO on March 14, 2007: Colonel Mugabo for the Hutu, Colonel

Ntasibanga for the Hunde, Colonel Lafontaine Sikuli for the Nande, and Colonel Blaise for the Nyanga.<sup>33</sup>

**Location and Structure.** Colonel La Fontaine Kakule was nominated Coordinator and Supreme Commander of the PARECO, seconded by Colonel Mugabo who became the Chief Operations Officer. All senior officers of this militia remain among their tribal communities along with a very clear majority of combatants drawn from those same communities. Combatants are not cantoned in camps but live among their home communities, with a concentration of combatants in close proximity to the headquarters of the commanders. PARECO combatants are deployed in the territories of Lubero, Masisi, Rutshuru, and Walikale.

**Motivation.** To face the (perceived) threat that the CNDP poses to them, their key motivations to take up arms, as per PARECO's official declaration, include (i) Fierce and energetic opposition to the "mixage" between the FARDC and the rebel troops of the dethroned General Laurent Nkunda; (ii) Opposition to the return of 46,000 Tutsi families cantoned in refugee camps in Rwanda, Burundi, and Uganda; (iii) Kinyarwanda-speaking Hutu of the PARECO saw the CNDP, whose majority is Kinyarwanda-speaking Tutsi, as a threat and believed the CNDP intended to exterminate those Hutu who would not follow their ideology.; (iv) Recovery of land taken from Hutu communities by the Tutsi; and (v) Opposition against the presence of foreign AG in Congo. They demand their departure without any condition (including FDLR, *Interahamwe*, *the Ralliement pour l'Unité et la Démocratie- Urunana (RUD)*/ *Rassemblement Populaire Rwandais-Inyragutabara (RPR)* to remove the pretext that Rwanda uses to justify its presence in the DRC.

**Affiliation.** Initially, PARECO was basically a military movement. Later, it developed a political wing to negotiate power sharing with the DRC government in Kinshasa, in a similar manner as the CNDP. Interestingly, the desire for superior ranks led the PARECO commanders to self-promotion and produced a number of generals, a secretary-general and speaker, and senior political advisors.

General Mugabo's wing is composed of a majority of Hutu, "ex-local defense" of the former Governor of North Kivu, and Eugène Serufuli, including some Hutus who were recruited from the ranks of the FDLR. Major General Sikuli's faction has a Nande majority, but has also some former FDLR and *ex-Forces Armées Rwandaises (FAR)*.

**Presence of Regular Forces.** Among PARECO there are elements of the FARDC and PNC, who are expecting to gain higher ranks.

**Collaboration with Other Forces.** PARECO operates in areas where they meet with the FARDC as well as other AG, namely the *Mai-Mai Kifuafua*, *Mai-Mai Kassindiens*, *Mai-Mai Vurondo*, *Mongols*, *RUD/RPR*, and *FDLR/FOCA*. They collaborate with the FARDC and with the other aforementioned local and foreign AG operating in North Kivu, except the CNDP. Reasons for collaboration with other AG are the same as those of other *Mai-Mai* groups (see above).

**Recruitment.** PARECO recruits among civilians, FARDC and PNC, demobilized Congolese fighters, and other AG operating in North Kivu, and occasionally from the ranks of the FDLR and *RUD/RPR*. Young combatants from *FOCA* sometimes join PARECO for better living conditions. *FOCA* acquires their supplies from the local population by force, while local village chiefs collect supplies for PARECO combatants. To successfully recruit the young among the Hutu community, PARECO recruiters need to convince potential recruits and their families that CNDP is a Tutsi movement whose only objective is to exterminate the Hutu and the only way to defend themselves is to fight.

**Territorial Domination.** Even though they experience difficulties conquering and controlling some other areas, PARECO has been more successful holding territories they take in the course of their various confrontations with the CNDP than other *Mai-Mai* groups. In this environment and type of conflict every AG needs to control one or several localities to assure the survival of its combatants. The group would vanish without territory and without its population to provide food and information/intelligence. This is not generally problematic within their own home communities, but presents significant challenges to any group which takes over a community previously dominated by another AG—particularly if the community is the home of the defeated AG. The fact that the PARECO has little difficulty in those areas taken from CNDP suggests that CNDP were strangers to the areas in question and were not considered part

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33 Colonel Kirikicho for the Tembo was included in the declaration in his absence to gain the support of the Batembo, but until now this has not materialize.

of the community, as will be discussed in more detail further in this annex.

**Subsistence.** PARECO combatants live from taxes they impose on businesses in their area of control, especially on market days. The local population has to provide (in-kind) contributions, depending on their respective economic activities. Since the PARECO is mainly composed of young Hutu who are generally farmers, many of them take care of their fields to assure the survival of their families when not mobilized for military duties or combat.

### 3. Congrès National Pour La Défense Du Peuple

**History.** Following the signing of the global and inclusive Pretoria accord on November 17, 2002, a government of national unity was constituted in DRC in which all (main) belligerents were represented, and combatants from the signatory troops were “reunified” into the Congolese army, sharing command positions at all levels of the army. General Laurent Nkunda, a Tutsi from Jomba in Rutshuru Territory, was named Commander of the 8th Military Region in North Kivu, despite the fact that he disobeyed an order to report in Kinshasa. He also refused to take up the new post.

In December 2003, General Laurent Nkunda created the organization la *Synergie Nationale pour la Paix et la Concorde* (SNPC) in Bukavu, the predecessor to the *Congrès National Pour La Défense Du Peuple* (CNDP). In May 2004, Nkunda joined the insurrection of Colonel Mutebusi, a Tutsi-Munyamulenge and former Second in Command of the 10th Military Region in charge of operations and intelligence in Bukavu. Together, they took Bukavu by force. The main reason they gave to justify their occupation of the town was to stop an alleged plan to conduct genocide against their Tutsi-Banyamulenge brothers of South Kivu by the authorities of the 10th Military Region

In the course of SNPC’s operations, numerous war crimes and crimes against humanity were committed, including selective massacres, rapes and plunder (ICG, 2007; HRW, 2007).

In response to these large-scale violations the international community put pressure on General Laurent Nkunda and Colonel Mutebusi to leave Bukavu town. Mutebusi and his men retreated to Kamanyola, while Nkunda first went to Minova in North Kivu and later selected Kichanga in the Masisi Territory as his headquarters, from where he launched a new rebellion.

In Kichanga, Nkunda, who was short of troops, was joined by the 81st Brigade of Colonel Rugahi (a Hutu), the 83th Brigade of Baudouin (Tutsi) and Mucho (Tutsi), who had all fallen out with the “*brassage*,” process, Colonel Makenga (Tutsi), Colonel Kabundi (Tutsi), Major Claude (Tutsi), and their respective men followed later. With this support, Nkunda created a new movement, *le Conseil Militaire pour la Défense du Peuple* (CMDP). Colonel Rugahi became its first president.

In 2005, after a period of internal conflict and defection, the movement changed its name again to become the *Congrès National pour la Défense du Peuple* (CNDP) with General Nkunda as its leader. After the defection of its operations commander, General Bosco Ntaganda, a former senior commander of the Ituri *Union des Patriotes Congolais* (UPC) militia of Thomas Lubanga (under International Criminal Court prosecution), was named Chief of Staff in charge of operations and later Chief of Military High Command.<sup>34</sup>

At the end of the year 2008, internal problems within the CNDP culminated in the overthrow of General Nkunda by General Ntaganda, for reasons of poor administration (on January 16, 2009). Désiré Kamanzi became the president of the CNDP. On January 20, 2009, General Nkunda was arrested by Rwandan authorities in Gisenyi, and Brigadier General Bosco Ntaganda took command. On March 23, 2009, the government of DRC and CNDP signed a ceasefire and peace declaration, which included “accelerated integration” of its troops into the FARDC. At that time, joint military operations of the FARDC with the Rwandan Defence Force (RDF) against the FDLR/FOCA had already started.

**Motivation.** In the beginning, General Nkunda justified his combat by the presence of FDLR-FOCA (ex-FAR and Interahamwe) in Congo and the threat they presented to his people (Tutsi). Following this logic, these “negative

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34 On March 18, 2013, General Ntaganda, who was wanted by the ICC for war crimes in Ituri, surrendered and turned himself in to the ICC via the US Embassy in Kigali.



forces,” which were accused of having committed the genocide of the Tutsi in Rwanda, needed to be fought. Furthermore, Nkunda claimed that the Tutsi minority was under threat of extinction by a genocide that he believed was being planned against them by other communities (tribal groups) in the Kivu provinces. Finally, he made the return of Tutsi refugees from the region to DRC, chiefly from Rwanda and Uganda, a condition of ending hostilities. In September 2008, the CNDP became a “liberation movement” (vs the “defense of Tutsi minority interests organization” as it was previously known), and Nkunda added power sharing with the central government at national and provincial levels to his list of demands.

The underlying motivation of the CNDP’s actions are reflected in the “*cahier des charge*” that the CNDP presented as a base for negotiations with the government of DRC in Nairobi on December 8, 2008, as follows: (i) insecurity in East of Congo due to the presence of

Foreign Armed Groups (FAG), among others the FDLR, (ii) need for reconciliation, (iii) lack of good governance, and (iv) review of exploitation contracts issued by the national government, especially with China.

It is also important to note that government of DRC continued for a time to pay the salaries of CNDP soldiers under the label of the “not yet integrated” *Armée Nationale Congolaise* (ANC) after the commencement of an open direct confrontation between the CNDP and FARDC in 2005. For combatants, it was not always clear whether the CNDP was part of the governmental army or not.

There also appeared to have been a number of economic interests linked to the CNDP motivation, particularly land and grazing rights. There are a number of anecdotal reports suggesting that senior personalities in the Congolese Rwandophone community had taken advantage of the CNDP presence and support to appropriate large tracts of land in Rutshuru and Masisi. Finally, promises of rank, money (to be confiscated from captured banks), vehicles, and women to be delivered when Goma would fall, played an important role in motivating subordinate ranks within the CNDP.

***Presence of Regular Forces.*** Former FARDC and PNC were within the ranks of CNDP. Some joined voluntarily, others were incorporated during combat operations, and some joined to escape disciplinary measures. In a few exceptional cases, even FDLR/FOCA elements are known to have joined the CNDP.

***Collaboration with Other Forces.*** Within the CNDP controlled areas, there was no systematic collaboration with any other force. In some localities, there was occasional collaboration with the PARECO-Hutu faction, apparently due to personal relationships between commanders of these otherwise hostile factions.

Among AG of other provinces, there have been traditional allies, such as the FRF in South Kivu and the UPC in Ituri. Moreover, there were personal ties between some CNDP and FARDC leaders, for example, based on shared experiences within the Rassemblement Congolais pour la Démocratie (RCD).

***Recruitment.*** Nkunda often presented himself as a reverend pastor who was mandated by God to free the Congolese people. His officers underwent training in that sense and wore a button “Rebels for Christ” to prove successful participation. For the political and military wing, CNDP recruited voluntarily and by force from among civilians, FARDC, PNC and demobilized Congolese ex-combatants. Rank-and-file fighters were recruited with promises of well-paid labor in mining companies and of good army salaries.

Forced recruitment was quite often the method of choice. There are reports of executions in the case of refusal to join and as an act of punishment for perceived desertion by former CNDP officers. Recruitment usually happened in an organized manor, with parties sent to residences of known ex-combatants, which led people spending nights in the forest for weeks and in some cases, months at a time. Forced recruitment of civilians included taking minors directly from schools, as happened, for example, in Jomba.<sup>35</sup> According to the UN Group of Experts report (2009: 45), CNDP recruited idle youth in Rwanda, Uganda, and Burundi with promises of good salaries for work in rich mines.

Some local chiefs and government officials remained within the CNDP in conquered areas, especially those in trouble with the government, who received a promise for rehabilitation within the CNDP.

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35 On September 18, 2007, at Muheto-Nyamitaba; see MONUC (2007).



Recruitment within the political wing was open to other communities (tribal groups) of North Kivu and other provinces in DRC, which may be seen as strategic. But in its military wing, the vast majority of troops were composed of Tutsi and some Hutu from the RCD.

**Control of Territory.** Allegedly, with external and internal economic and political support, CNDP managed to extend and effectively control an important part of the territories in which it operated. All conquered locations were effectively occupied and defended. At a certain point in time there was a belief that CNDP intended to conquer all eastern provinces with the aim to create an independent state, the “*République Fédérale du Kivu*”, for which a hand-drawn map was circulated.

Since the CNDP had a very important military arsenal at its disposal it managed to master the territory it occupied and to conquer further areas, especially those of strategic interest, effectively extending its area of control and economic gain. Several cases of breach of signed treaties put them in even more favorable conditions, for example versus the FARDC particularly visible around the Goma conference. Support from the private sector across the region further strengthened the movement (UNSC, 2008: 7–15).

Outside of the territories inhabited by the “Rwandaophone” population (Masisi and Rutshuru), CNDP encountered difficulties controlling the population. In certain areas all non-Tutsi were forced to flee to escape the acts of extreme violence committed by the CNDP troops. Once CNDP troops were integrated into FARDC under the “mixage” process, these atrocities continued large scale during operations against the FLDR/FOCA. The international community put enormous pressure on the government of DRC to end these operations.

**Subsistence.** CNDP troops lived off the various taxes they imposed on the population in the territory under their control. All farmers had to hand over a fixed quantity of their harvest and pastoralists a fixed number of livestock, following a formula based on their production. Further taxes were raised on houses, depending on the kind of construction material and type of use of the house (residential or commercial). These taxes were in addition to what business people paid on market days and road fees (*péage route*) as “*effort de guerre*” (whereas the province charged \$25 before the war, CNDP requested US\$500–US\$800 per vehicle).

Where the CNDP controlled border posts it also raised “governmental” customs and taxes on imports and exports. Further illegal income-generating activities (especially in the Virunga National Park) were logging, charcoal production, poaching, and trading of endangered wildlife species. Exploitation of mines also played an important role, and competition over them was often the cause of serious battle.

Finally, remittances from around the world contributed to the financing of CNDP.

## II. GROUPS CREATED AFTER THE GOMA CONFERENCE (“GROUPES RÉFRACTAIRES”)

### 1. Alliance des Patriotes pour un Congo Libre et Souveraine

**History.** The *Alliance des Patriotes pour un Congo Libre et Souveraine* (APCLS) was created by Hunde members of the PARECO. The Hunde were the only participating faction that did not sign the Goma Agreement. In the course of the signing ceremony, representatives of the other PARECO tribal wings stated that this was of no importance as the movement was united and therefore the Hunde community was represented through its participation in the PARECO. Hunde members however disagreed.

**Location.** APCLS is active in the Mutongo-Lukweti area in the western Masisi.<sup>36</sup> Synonyms of the APCLS are the Mai-Mai Janvier, Mai-Mai FDN, or Mai-Mai Akilo, whereas Akilo is a dissident of the APCLS with Akilimali, alias Akilo at its head, who used to operate around Ntoto with some 30–50 combatants.

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36 “Lukweti is located 17 km north of Nyabiondo in Bafuna Groupement” (Jason Stearns blog: <http://congosiasa.blogspot.com/2009/11/monuc-internal-report-about-ex-cndp.html>).

**Motivation.** APCLS' main objective is to protect Hunde and other non-Tutsi Congolese in its area of operation. (<http://wikileaks.org/cable/2009>).

**Affiliation.** APCLS coordinates its activities with FDLR, usually in an ad hoc manner. Both recognize the FARDC as their common enemy.

**Recruitment.** After its creation, APCLS leaders called for a "Bantu" tribal alliance, just as the PARECO had done before, and recruited across tribal lines. The group, however, remains clearly Hunde-dominated under the leadership of Colonel (later General) Janvier Buingo Karairi. APCLS is estimated at about 1,500 fighters, organized into four brigades.

## 2. Mai-Mai Sheka

Ntabo Ntaberi Sheka, a Nyanga from Walikale, created the Mai-Mai Sheka/*Nduma défense du Congo* (NDC) AG in 2008 with the objective to defend the local population against violent acts, especially from FOCA, and prevent them from collaborating with the FARDC.

Militia fighters under Sheka's leadership are accused of carrying out hundreds of rapes of women and children between July 30 and August 2, 2010 in reprisal attacks against villages who they accused of collaborating with government forces. Furthermore, the group is accused of illegal mining and trade of minerals, enslaving, and recruiting children. Sheka is on the UN Sanctions Committee list (travel ban and asset freeze list as per 28 November 2011) and on several Western nations wanted list.

Sheka also killed senior FDLR/FOCA Colonel Sadiki, one of his former allies, on Sunday November 20, 2011, which is believed to have been a revenge operation for Sadiki handing over those responsible for mass rapes in the course of joint military operations<sup>37</sup>: "... Colonel Sadiki and his troops, led by Captain Seraphin Lionceau, arrested those among Mai-Mai Sheka who committed rapes and handed them to authorities. These included especially Sheka's Chief of Staff Sadoke Kikunda Mayele and other Mai-Mai Sheka operating in the area of Chalingwangwa, Maningwi, and Mutongo, in the zone of Ihana."<sup>38</sup>

## 3. Front des Patriotes pour le Changement

Lafontaine, the senior leader of the PARECO/FAP, a Nande from Butembo, separated from the PARECO in 2010 following the attack on the UN Indian contingent at Kibumba by Mai-Mai combatants. It is speculated that, for fear of being held responsible, Lafontaine created his own group, the Front des Patriotes pour le Changement (FPC).

## 4. Front Patriotique pour la Libération du Congo

The *Front Patriotique pour la Libération du Congo* (FPLC) was created around the end of 2008 by Gad (also spelled Gady/ Gadi) Ngabo, and is not identical with the former Ituri AG of Thomas Lubanga Dyilo, the *Forces patriotiques pour la libération du Congo* (FPLC). The group is seen as "politico-military" and allegedly has links in the region to Ugandan and Rwandan opposition groups, with some suspecting the group being backed by the Government of Uganda. It is said to be Tutsi dominated and its leader is of Tutsi origin, born in Ngungu, Masisi.

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37 Debelle (2012: 34): Sheka ... has cooperated with the FDLR from 2009 to the end of 2011. During that period, the NDC and the FDLR-FOCA 2nd battalion Montana respected a business arrangement to jointly exploit the gold pits along the Osso river, near the locality of Mutongo in the Walikale territory in North Kivu. Their combatants jointly conducted the campaign of mass rapes in Luvungi between 30 July and 2 August 2010. This collaboration ended in November 2011 when Sheka participated in an ambush that killed Montana commander Lieutenant-Colonel Evariste Kanzeguhera (aka Sadiki Soleil).

38 <http://www.afroamerica.net/AfricaGL/2011/11/21/fdlr-commander-colonel-sadiki-killed-by-mai-mai-cheke/>; <http://ukun.fco.gov.uk/en/news/?view=Press&id=699488182>; <http://www.iol.co.za/news/africa/un-sanctions-drc-militia-leader-1.1189163>.

### III. MISCELLANEOUS GROUPS AND BANDITS REFERRED TO BY PARTICIPANTS IN THE STUDY<sup>39</sup>

These are not AG in the sense of having a defense agenda, rather they are better described as armed bandit groups or are invented names of nonexistent groups.

***Maï-Maï Banyampiriri.*** The Banyampiriri are a clan of the Bahavu tribe. A group of no more than 10 people who call themselves Maï-Maï Banyampiriri and are active in banditry and rape.

***Maï-Maï Cobra.*** This is a group active in banditry and rape of no more than 10 people who call themselves Maï-Maï Cobra.

***Maï-Maï FAC.*** This group is unidentified. But the Maï-Maï movement during the Congo wars called themselves FAC (*Forces Armées Congolaise*) and the Maï-Maï group of General Dunia (Babembe) called itself FAP (*Forces Armées Populaire*), so confusion is possible as both are referenced to as the “old” Maï-Maï movement.

### IV. FOREIGN ARMED GROUPS

#### 1. Forces Démocratiques pour la Libération du Rwanda/Forces combattants Abacunguzi

***History.*** Rwandan armed groups evolved from the remnants of the *ex-Forces Armées Rwandaise* (FAR) after their exodus from Rwanda at the end of the genocide in 1994 in which they were involved. These groups are well researched (Romkema, 2007, 2009; Omaar, 2008; Debelle, 2012). There was a series of organizations created, basically aiming to cover up the involvement of their senior members in the 1994 genocide. Among the recent organizations, the *Forces Démocratiques pour la Libération du Rwanda* (FDLR) is clearly dominant, having a worldwide political and support network, particularly among exiled Rwandans. It has recently come under severe pressure as its leadership has been challenged by western justice systems and is subject to military confrontations on the ground (see military operations). The *Forces combattants Abacunguzi* (FOCA) represents the military wing on the FDLR. Numbers of FDLR-FOCA have substantially been reduced over the last years, from well over 10,000 to an estimated 1,200-1,500

***Location.*** FOCA combatants are concentrated in the Kivu provinces and have some visible presence in the Republic of Congo. Many members are located outside of these areas and their “membership” status may not be clear (for example “in-active,” “de facto self-demobilized,” “sleepers,” etc.). Recently, FOCA has lost much terrain through military operations against them, and members through voluntary repatriation to Rwanda. The FDLR’s political structure shows an almost global network, with centers of activity in Africa and Europe.

***Motivation.*** The FDLR believe that they are the only legitimate representatives of the majority of the Rwandan Hutu population. Their arch-enemy is the current Government of Rwanda, which they accuse of “Hutu genocide.”

***Collaboration with Other Forces.*** FOCA collaborates with most Congolese AG, except Tutsi-led groups and groups created to fight them, such as Raia Mutomboki. The situation of alliance versus animosity is not always clear or stable. In the course of the Congo wars, the FDLR received support from the government in Kinshasa and collaborated as part of a government-led military coalition. More recently, and depending on personal relations and the situation on the ground, the FOCA have also collaborated with the FARDC.

***Recruitment.*** In the DRC, Uganda, Burundi, and even further, FDLR/FOCA recruit among refugee populations, targeting the Hutu population. Today, within the DRC, up to 50 percent of their recruitment is by force. They also recruit Congolese Hutu, and in Rwanda they recruit underground to a very limited extent.

***Subsistence.*** Their subsistence is similar to other AG, including from agriculture, control of remittances, control of a variety of trades, taxation, ransoms, to nonconventional logistics (NCL, *Logistique Non Conventionnelle*, LNC) operated by *Commandos de Recherche et d’Action en Profondeur* (CRAP) units as explained further in this annex.

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39 Although very small in size, these groups were mentioned by the study's participants and as such included in this Annex.

## 2. Ralliement pour l'Unité et la Démocratie Urunana

**History.** The Ralliement pour l'Unité et la Démocratie Urunana (RUD) is a breakaway element of the FDLR, which replicates structure and modus operandi, but to a very limited extent since it has far fewer members. They had a few hundred combatants at their peak, but were reduced to less than 100 after the Umoja Wetu Operation in 2009. Recent findings, however, indicate that numbers are possibly on the rise again.

**Location.** The group is currently much reduced, operating only in a few locations in North Kivu.

**Motivation.** The motivations for RUD are similar as for the FDLR. At the top, the RUD formed an alliance with a micro-group of Tutsi dissidents of the Armée Patriotique Rwandaise (APR) / Rwanda Defense Forces (RDF), called RPR, and therefore claimed legitimacy for its “inclusive bi-ethnic” base (vs the mono-ethnic base of the FDLR and its predecessors).

**Presence of Other Forces.** RUD takes in discontented former FOCA combatants and FDLR (or predecessor organizations) leaders.

**Collaboration with Other Forces.** RUD collaborates with FOCA and certain Maï-Maï groups, although alliances keep changing.

**Recruitment.** As stated above, principally the RUD takes in discontented former FOCA combatants and FDLR (or predecessor organization) leaders. It also recruits in refugee camps, especially in Uganda. Further, it attracts former senior officers from exile.

**Subsistence.** Same as for the FDLR-FOCA.

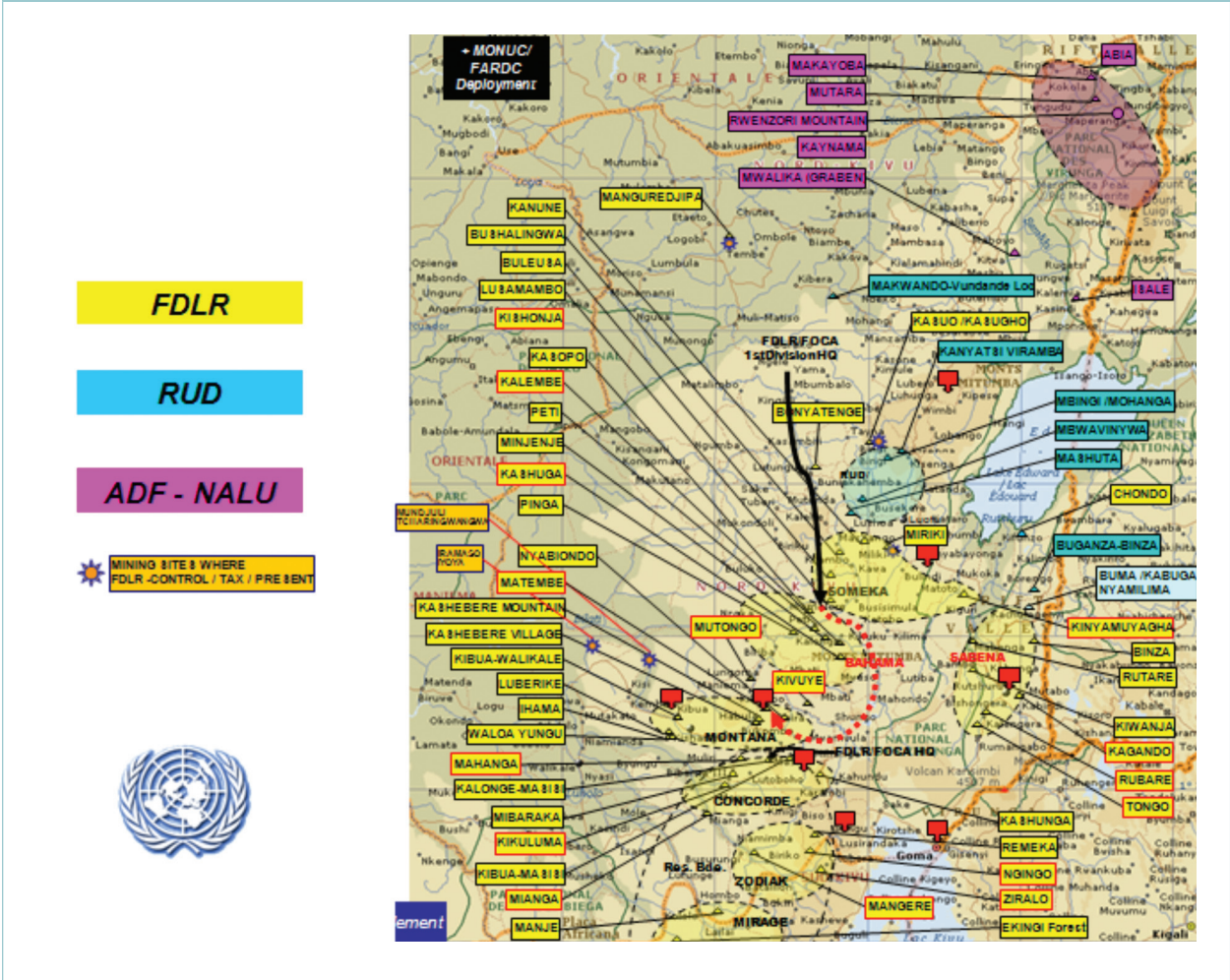
## 3. Soki

**Soki** (the nickname of its commander, late Colonel Sangano Musohoke alias Soki) is a dissident group of the RUD with no political agenda and basically in survival mode, that is, banditry. Additional names include FDLR-SOKI, RUD-SOKI, RUDI-SOKI. They are located in Rutshuru, along Ishasa Road. They are estimated to be less than 30, recruiting mostly deserters from other groups, mainly RUD and FOCA.

## 4. Map

The following map (Figure 1), although outdated, illustrates the complexity of the geographical presence of FAG in North Kivu. The Allied Defense Forces – National Army for the Liberation of Uganda (ADF-NALU) is a FAG not discussed in this report.

Figure 1. Mapping of FAG in North Kivu (UN, 2008)





# ANNEX 3

## Elements of Modus Operandi Related to Looting and Cannibalism

### 1. Stealing Food from Civilians

As history shows, most conventional armies in times of severe logistical stress or emergency practice “requisition” of goods. This is not understood by them as a crime, but as a righteous act. But in reality, at least in some cases, the practice has morphed into pure banditry. For example, in the FDLR, “requisition” of goods is controlled by the chain of command and is executed upon order by specialized units that have undergone special training for this task—the CRAP units. Every FOCA battalion has a CRAP unit which, among other duties, is in charge of the logistical survival of the unit, known as “non-conventional logistics” (NCL).<sup>40</sup> The CRAP units are grouped under “Special Units” and are under the command of the operational sectors of North and South Kivu, the Military Police battalion, and the liaison antenna of FOCA command in South Kivu (Debelle, 2012). In extreme cases, there are targeted operations based on intelligence to specifically collect certain key logistics (food, medicine, arms, ammunition, military clothing, and even live people). Targets are not restricted to civilians. Opposing AG are also specific targets of CRAP operations, and in rare cases the UN and international organizations or enterprises. These are professionally planned and conducted commando operations.

Hence, the understanding of these acts by combatants and the command of such groups, especially the FOCA, is viewed not as criminal, but rather as a righteous requisition of goods.

### 2. Cannibalism

The discussion of cannibalism is often controversial. Even the existence of cannibalism is sometimes strongly contested. But 8 percent of former combatants interviewed during this study reported they had participated in acts of cannibalism.

“Cannibalism has been reported in several recent African conflicts, including the Second Congo War”. A UN human rights expert reported in July 2007 that sexual atrocities against Congolese women go “far beyond rape” and include sexual slavery, forced incest, and cannibalism.”<sup>41</sup>

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40 Debelle (2012: 40–41): The practice “non-conventional logistics” (NCL) was created in 1999 as a concept by Colonel Tharcisse Renzaho to label the production of resources needed for the rebel combatants’ subsistence and for the purchase of weapons, ammunition, and military fatigues from corrupt FARDC officers. This practice designates the taxation of Congolese villagers and economic operators; the trading of basic goods at local markets by families of the FDLR combatants; the traffic of marijuana, charcoal, and timber; as well as the exploitation of Congolese minerals.

In some battalions, up to 20 percent of all combatants are assigned NCL-related tasks. Though the distribution of resources is formally regulated and managed by the battalion’s S-4 bureau (logistics), many FDLR officers assign NCL functions to their escorts as a way of personal enrichment. As a surprising and important consequence of the NCL, the FDLR has developed tight socioeconomic ties with several Congolese communities in the Kivu.

41 For those who wish to further explore, Wikipedia (<http://en.wikipedia.org/wiki/Cannibalism>) might provide a reasonably well-written overview, with a specific section on Africa, from which the above quote is taken and may wish to consult Sir Harry Johnston, who offers numerous accounts (Johnston, 1908: 43, 70, 121, 123, 140, 144, 145, 195, 254, 339, 351, 371, 376, 382, 390, 397-407, 428, 460, 462).



## ANNEX 4

### Example of Ordered Mass Rape

To demonstrate a case of ordered mass rape, following is an extract of *Open Society Justice Initiative, Congo Justice: What Happened in Fizi*, by Chuck Sudetic (2011), describing a well-investigated and tried case of mass rape in Fizi, which was ordered by a senior FARDC officer, admittedly for tactical reasons and labeled “rape as a weapon of war” in the judgment<sup>42</sup>.

“The trial of Lt. Col. Kibibi Mutware . . .”

“In the Interests of Justice and in the Name of the Congolese People,

The Military Court of Sud-Kivu, Bukavu, is Seized of the Case of

The Military Prosecutor, the Ministry of Public Security, and Civilian Parties.

Kibibi Mutware Daniel, et al. »

“The Kibibi judgment, and the incident that led to it, took place near the shores of Lake Tanganika, far across the mountains from Kamituga. It did not involve individual rape cases, like those being tried here. It involved rape as humiliation, rape as an act of retaliation, rape as a weapon of war. . .

On the afternoon of New Year’s Day, 2011, a gunshot sounded in the center of the town of Fizi. One Petro Ndaisaba, a corporal in the army of the Democratic Republic of Congo, had shot a merchant named Faizi Kabiona. The gun discharged at the climax of a quarrel over a woman and an act of disrespect.

Corporal Petro was the body guard of a certain Lieutenant Kifaru Alexis, who had asked Petro to approach Faizi and inquire about introducing Lieutenant Alexis to a young woman he had seen in Faizi’s shop and wished ‘to woo.’ Faizi refused.” . . .

“The military contingent in the town of Fizi is a mixture of members of former irregular and rebel militias, including the CNDP. . . the sector’s acting commander on New Year’s Day, a hard-nosed 46-year-old Lieutenant Colonel Kibibi Mutware—a man who had graduated from the country’s national military academy before the overthrow of the dictator Mobutu Sese Seko, when Congo was still called Zaire. Kibibi became a CNDP officer during the wars in eastern Congo before his re-integration into the army in 2009.

Despite the simmering of ethnic antagonisms and bad memories, soldiers stationed in the town of Fizi wondered why young Bembe women were ignoring their overtures. Lieutenant Alexis did not, apparently, take offense at Faizi’s refusal to act as an intermediary for him. He invited Faizi to have a beer. Faizi declined. Corporal Petro was hotter-headed and, on the afternoon of New Year’s Day, drunk. He took Faizi’s refusal to be an act of disrespect toward his superior officer, if not all the other soldiers in his unit. A bitter quarrel ensued.

Lieutenant Alexis heard the commotion and hurried from down the street to intervene. He removed the loaded clip from Petro’s weapon, but neglected to clear the one round in the chamber. A few minutes later, Petro fired the bullet into Faizi’s right side. The gunshot transformed curious bystanders into an enraged mob. Lieutenant Alexis fled for his life. The crowd beat, kicked, and stoned Corporal Petro even after he had slumped to the ground. Neighbors rushed Faizi to a nearby hospital.

Word of the mob violence reached Lieutenant Colonel Kibibi. He immediately ordered officers and soldiers to rush to

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42 <http://www.opensocietyfoundations.org/voices/congo-justice-what-happened-fizi>.

the scene. They found Corporal Petro alive and wrestled him from the ground onto the saddle of a motorbike, which sped off toward the hospital.

At that moment, a rumor spread that Faizi had died of his bullet wound. Local men now rushed toward the hospital, overtook the motorbike conveying Corporal Petro, and stoned him to death on the spot. Army officers and soldiers soon arrived at the scene of the stoning and delivered Petro's body to the military camp, again on a motorbike. Kibibi then went to assess the scene of Petro's altercation with Faizi." . . . "Kibibi gathered officers and instructed them to have their men search every house and shop near the scene of the attack on Petro and to arrest every man they found. 'If any of them run, shoot them,' he said."

From about 7 p.m. until 4 a.m. on January 2, soldiers ran riot through the town of Fizi. They looted and ransacked stores and houses. They beat and confined men in a jail. They raped scores of women, some of them before the eyes of their children. More than a hundred soldiers took part in the orgy of violence.

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It took the government of Congo and its military only six weeks to investigate the Fizi incident and to arrest Kibibi and 10 other officers and soldiers, the only men whom the victims had identified. A mobile court—United Nations officials say the mobile military court system was the only tool the government had to react quickly and decisively to the Fizi mass rape—was organized in a village a few miles from the town. The trial opened on February 10.

Fifty-five women, ranging in age from 19 to 60, joined the criminal and civil case against Kibibi. Forty-nine of them stood before a panel of five judges to testify in public that they had been among the scores raped in Fizi on that New Year's Day. One witness testified that she had met Colonel Kibibi before the Fizi violence and that, during the military riot, Kibibi himself entered her house and raped her while elements of his security escort waited outside. Members of Kibibi's escort testified that they had, indeed, waited for him outside the victim's house.

All but one of Kibibi's officers testified that Kibibi ordered the operation and instructed his subordinates to kill anyone who tried to run. Before the court, Lieutenant Colonel Kibibi testified that his bodyguards were part of a plot against him, but admitted that he had been enraged by the attack on his soldier. During the years when Congo was still Zaire, Kibibi explained, "if a soldier was killed by civilians, we would mark out fifty meters square and kill everyone inside. For one killed soldier, more or less, a hundred civilians would pay."

Prosecutors sought the death penalty against Kibibi and several others, and twenty-year sentences against officers and soldiers accused of lesser crimes. The mobile court applied the law of the International Criminal Court, rather than the law of the Democratic Republic of Congo, to convict Lieutenant Colonel Kibibi of crimes against humanity. He and three of his officers received twenty-year prison sentences. Five more officers received less lengthy sentences. Another was acquitted. The remaining defendant was found to be a minor and his case was transferred to a civilian court.

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"The sentences send a strong signal that sexual violence is not acceptable and will not be tolerated," the UN secretary-general's special representative on sexual violence in conflict, Margot Wallstrom, said.

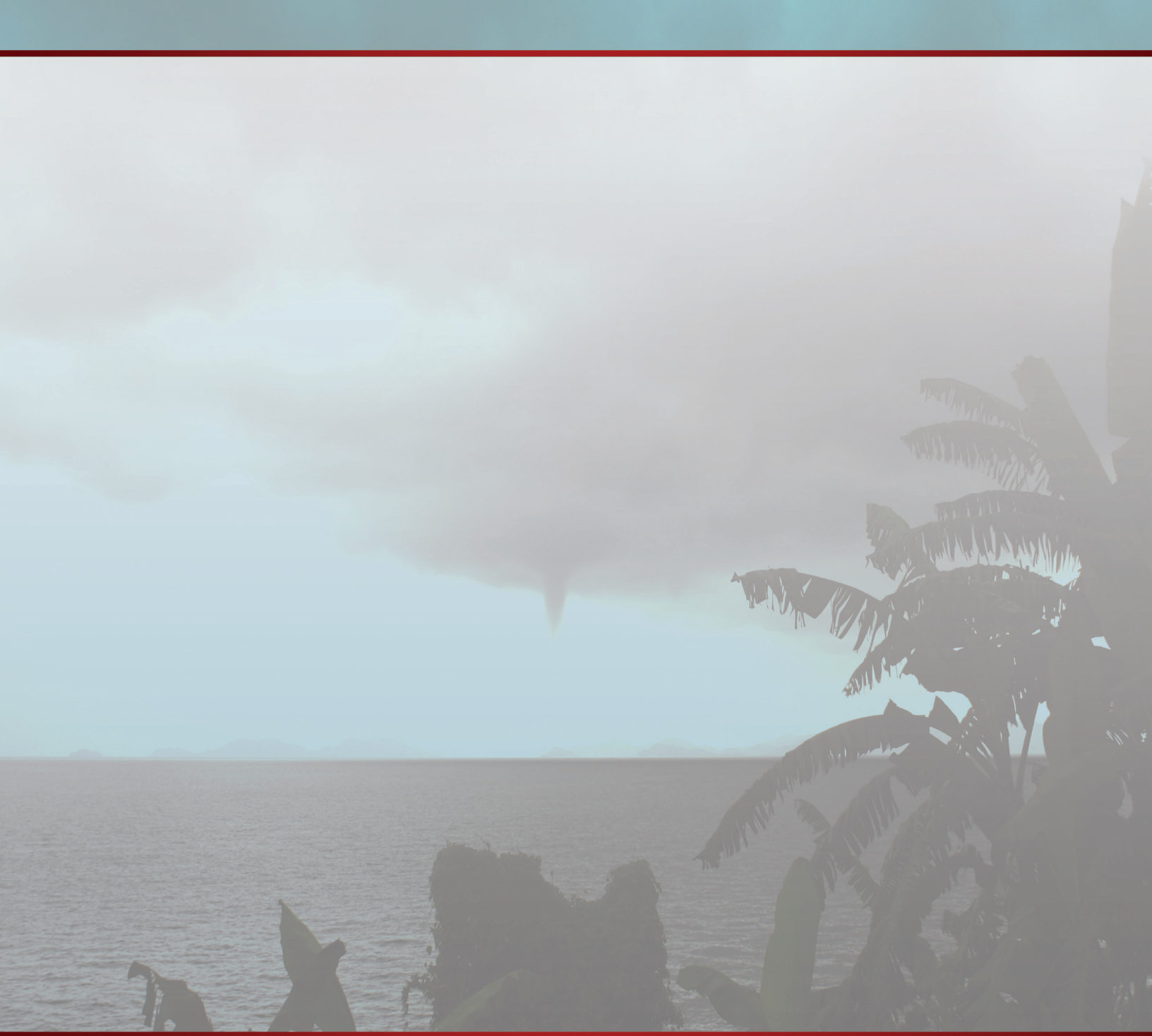
## ANNEX 5

# Special Army Integration Attempts in DRC, an example from CNDP

The following overview illustrates the rather complex sequence of key events around creation and operation of the CNDP:

- 2002 Pretoria Accord leads to the installation of a transitional government in June 2003 and a process of integration of all factions into a single national army.
- Most of the military leaders enter the army integration process, such as General Padiri, who is appointed Commander of the 9th military region in Kisangani. General Laurent Nkunda and Colonel Eric Ruhorimbere, however, refused to take their assigned posts and Nkunda started to challenge state power through renewed dissidence and the foundation of a new politico-military movement, the CNDP.
- In 2004, General Nkunda and Colonel Jules Mutebutsi conquer the South Kivu capital of Bukavu under the pretext of protecting their harassed Banyamulenge brothers. Their troops commit serious human rights abuses. At the end of their occupation, Nkunda gains North Kivu (Masisi) and remnants of Mutebutsi's troops reach the South Kivu high plateau under the name of "Groupe 47" (the 47 survivors) that later transforms into the FRF.
- On December 30, 2006, the CNDP/Nkunda publishes its "Cahier de Charge," in which the key demands are: (1) the end of the presence of Rwandan AG in the DRC and (2) the return of Tutsi refugees to DRC.
- In 2007, a new formula was found to end confrontations between the CNDP and FARDC, a process of direct army integration called "mixage" was created with the support of the Government of Rwanda. Its sole objective was to end the presence of Rwandan AG in the Eastern DRC by use of military force.
- The "mixage" triggers the foundation of the PARECO FAP by Hutu, Hunde, Nande, Nyanga, and Tembo (all Eastern DRC Bantu tribes) officers led by Kakule Sikuli LaFontaine on March 14, 2007.
- August 2007: Collapse of "mixage" and resumption of serious armed violence, at its peak during the end of August 2008 with the threat of the CNDP taking over the provincial capital of North Kivu, Goma.
- Arrest and detention of General L. Nkunda by Rwandan authorities; Bosco Natganda takes over.
- January/ February 2009: Accelerated army integration of the CNDP combatants and recognition of the CNDP as a DRC political party in the context of a joint military operation "*Umoja Wetu*."
- In April 2012, some 300 soldiers mutinied from FARDC and created the M23 rebel movement operating mainly in DRC's North Kivu, following grievances over the GoDRC's non-compliance with the March 23, 2009 agreements, including acceptance of military ranks and payment of salaries. M23 is accused of committing widespread atrocities against civilians under the military guidance and leadership of Colonel Sultani Makenga.





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