

*Congressional Human Rights Caucus Briefing on the Democratic Republic of Congo
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Thank you very much for the opportunity to brief the Caucus on this important and too often neglected topic. Before I begin, I, along with all of my colleagues at ENOUGH, would like to extend our condolences to the family and friends of Congressman Tom Lantos. Congressman Lantos was a tireless and relentless advocate for human rights. His passing is a loss not only to those of us working on these issues, but to all of the disenfranchised and oppressed people in the world who have been touched by his leadership and vision.

I have been asked to discuss the humanitarian situation in the Congo. For the purposes of this briefing I will focus my remarks on the crisis in the eastern provinces of North and South Kivu, which for so long have been the epicenter of one of the world's largest and most neglected humanitarian catastrophes, and particularly on the plight of women and girls caught in the vice-grip of atrocities committed by all sides in this relentless conflict.

While a recent ceasefire agreement brokered by the United States and European Union is hailed as a diplomatic success, the continued suffering of Congolese civilians remains an international failure. According to the International Rescue Committee's latest study of mortality in Congo, 5.4 million people (and counting) have died in the conflict since 1998, mostly due hunger, disease, and other consequences of violence and displacement. Despite a peace deal signed in 2002 and relatively fair elections held in 2006, preventable death continues at the same pace—a staggering 45,000 people die each month, half of whom are children under five.

Indeed, war in the Great Lakes region has really been in a state of suspension over the last few years. Heavy fighting occasionally makes the news, but systematic and widespread crimes against humanity simmer below the surface. Congolese women and girls in particular bear the vicious brunt of this crisis. Without question, eastern Congo right now is the worst place in the world to be a woman or a girl—perhaps ever. Sexual violence and rape occur on a scale seen nowhere else on earth. Violence against women is intended to mutilate and humiliate. Rape as a weapon of war—defined by the United Nations as a war crime—is causing the near total destruction of women, their families, and their communities.

I was in eastern Congo in July 2007, and I will be heading to North Kivu province again next week. The humanitarian situation was dire last year, and has only gotten worse. The end of 2007 was accompanied by an escalation in armed conflict and displacement, and all sides—Congolese rebels, the Congolese army, and numerous Congolese and foreign militia groups—were guilty of attacks on civilians.

The continued atrocities in the East have two underlying causes:

1. The long-standing structural weaknesses of the Congolese state, in particular the predatory nature of its armed forces and the general state of impunity and lawlessness across the country; and
2. The rise of parasitic armed groups—driven by competition for vast natural resources, struggle for political power, communal tensions, and legitimate security concerns—which fill the vacuum of the state and feed off its people. These groups include 8,000 to 9,000 Rwandan and Ugandan rebels and 5,000 to 8,000 local militiamen that operate in the East. The most dangerous of these groups is the Democratic Forces for Liberation of Rwanda, or FDLR, a Hutu militia that includes some of the perpetrators of the 1994 Rwandan genocide.

A tragic illustration of the situation facing Congolese civilians occurred in the early morning of November 13, 2007 outside the provincial capital of Goma. Congolese rebel forces attacked a Congolese army base established near to camps for internally displaced people—people who had already fled for their lives. Within hours, an estimated 30,000 people deserted the two camps closest to the fighting and fled toward Goma. A field researcher for ENOUGH spoke with a number of displaced people along the main road to Goma who described their fear, frustration, and anger about being forced to flee yet again, this time from an area meant to be secure. The majority who fled the camps slept along the road or with local communities that were kind enough to offer them shelter. By afternoon the following day, many had returned to the camps, only to find that the Congolese army and less empathetic locals had looted the belongings they left behind.

In early December 2007, the Congolese army launched an offensive against rebels led by a dissident Congolese General named Laurent Nkunda. It was the largest military offensive of Congolese President Joseph Kabila's seven-year tenure. At least eight local militias—also parties to the peace deal—helped the 20,000 Congolese troops fight Nkunda's superior forces. The offensive ended in fiasco as troops from both sides raped, looted and killed in the process.

As armed groups fought, moved, and dispersed from one town to another, so did the civilian population. The fighting in December caused the seventh major wave of civilian displacement in North Kivu since November 2006. A officer with the United Nations peacekeeping mission in Congo, or MONUC, suggested that as many as 70-80,000 people have been displaced as a direct result of the botched offensive. Thus, the past year of hostilities in North Kivu has displaced an estimated 437,000 people. Previously, the majority of displaced people found shelter with host families and communities. However, many communities can not absorb more displaced people, and newly uprooted Congolese are settling in camps. Recent reports estimate nearly 170,000 people are living in camps in North Kivu.

Now, finally, there is *some* good news to report from eastern Congo. On January 23rd, the government signed a peace deal with nine rebel groups in the eastern North Kivu region.

And, finally, the United States has, for the first time in almost a decade, put some diplomatic muscle to work to help find a solution. Tim Shortley, special advisor to Assistant Secretary of State for Africa, spent two weeks hunkered down in the eastern Congo, shuttling between rebel and government delegations. Senior diplomats for the European Union and Belgium cancelled appointments and followed suit.

The centerpiece of the peace deal is a ceasefire between the government and the rebels led by General Nkunda. The ceasefire orders the creation of a commission—chaired by the government and co-chaired by the international community—to oversee several aspects of the deal, including military integration of Nkunda’s forces; the disarmament, demobilisation, and reintegration of ex-combatants; the deployment of United Nations observers to monitor the ceasefire, the reinforcement of United Nations Peacekeepers’ presence to protect the civilian population; the implementation of the plan to disarm and repatriate foreign armed groups as detailed in the Nairobi Communiqué; and the creation redeployment calendar of armed groups into transit and demobilization centers. This is what can be achieved when the international community puts its mind to it, and the Bush administration—particularly Mr. Shortley—deserves credit. But this is also just the beginning; most of the heavy-lifting has yet to be done.

Unsurprisingly, there is a very tight correlation between continued conflict and high death rates. And therefore the policies needed to achieve twin goals in eastern Congo—ending conflict and reducing human suffering—are closely linked. As is the case in Darfur, Somalia, and Iraq, the extreme human suffering in Congo will not abate until progress is made to resolve the political crisis at the root of the problem.

According to the United Nations, at least 1.2 million people are displaced inside Congo, most of them in the East. In the western part of Congo, death rates are similar to those in other parts of sub-Saharan Africa. In the East, the rates are double. People die in eastern Congo in huge numbers, indirectly due to the ripple effects of violence: continuing attacks, ongoing rapes, and routine looting and forced labor all lead to waves of displacement, frequent epidemics, limited access to basic health services, persistent hunger and malnutrition, and spiraling impoverishment.

Having suffered through years of avaricious leadership and simultaneous economic decline, the Congolese state is simply unable to respond to and protect its citizens. Worse, the Congolese army is guilty of widespread human rights abuses, and impunity for sexual violence is the norm. The misconduct of soldiers is often condoned or ignored by high ranking officials. The prevailing attitude of the army is that soldiers cannot be held accountable for their actions and that it is the woman’s fault for being raped. At a recent educational event about the consequences of sexual violence in Goma, a top ranking army official announced publicly: “women should know not to go out in places where there are armed men.”

A non-functioning state means that there is no recourse but to the slivers of international assistance that trickle in via heroic aid agency efforts, but the scale of the problems in the Congo dwarfs the response of donor governments. Moreover, humanitarian access to

these vulnerable populations is under constant stress, and UN agencies and non-governmental organizations, or NGOs, are fighting an uphill battle to save lives. Where aid agencies do get involved, death rates go down. However, the humanitarian aid trickling through is a small drop in an ocean of need, and UN officials report they have less access now in parts of North Kivu than they did in the fall of 2006.

In eastern Congo, divisive issues such as citizenship and land ownership have, over decades, splintered into innumerable grievances, stoked by politicians and militia leaders who benefit from conflict. With an army that is more a predator than a protector, the civilian population is forced to rely on armed militias to defend and guard their respective interests. But armed groups rarely act on behalf of the civilians they claim to defend. Militia groups pursue their own interests—particularly control over lucrative mineral resources—and as new grievances develop, so do new factions. Armed groups, old and new, terrorize communities into accepting their control or punish those loyal to the opposing parties/forces. And, again, women bear the brunt of this punishment.

It is not just armed groups that are guilty of rape; the civilian population is increasingly culpable as well. Rapes committed by civilians are on the rise. Throughout the recent conflicts, Congolese traditional society (such as community chiefs) has also suffered a slow disintegration. Without a strong presence of traditional higher authority or state authority, the general civilian population can commit crimes and not be held accountable. This is especially true for large cities. In Goma alone from January to September 2006, 3,500 victims received care and treatment for rape. In some places in North Kivu, the number of rapes committed by civilians is threatening to eclipse those committed by armed men.

Even though adjustments have been made to Congolese penal code to help deal with the epidemic of sexual violence, the foremost problem in Congo is *a culture of impunity* because of the lack of a strong Congolese state. For the women and young girls who have had the courage to publicly identify their rapists, prosecutions are slow to non-existent. Perpetrators thrown into jail are often able to simply pay guards for their release. Some have even just broken through the walls. There is little to no follow-up by authorities if a man escapes. Even worse, because there is no witness protection program in Congo, many perpetrators are able to find and terrorize their accusers again. There are numerous accounts of victims being re-raped in revenge. Women and young girls have even had their mouths cut off so that they “won’t tell again.”

Faced with gruesome acts of violence and sexual torture, international condemnation unaccompanied by dramatic action is simply unacceptable. Although the international community has agreed on its “Responsibility to Protect”, its efforts to protect civilians in the Congo—in particular women and girls—are failing spectacularly.

ENOUGH’s field researcher recently asked a rape survivor named Jacqueline (not her real name) what she thought of the ceasefire she replied “There won’t be any peace. Peace will only come from god, because men can’t do it.” Jacqueline was raped years ago in Rutshuru by a group of armed men that broke into her house. Right now she is waiting

for her fifth fistula repair surgery in a safe house outside of Goma. A fistula is a hole that can develop through days of difficult childbirth, or, in this case from extremely violent rape. Essentially, the blood supply to the vagina is cut and the tissue deteriorates and tears. Jacqueline told ENOUGH that she has seen peace deals come and go, and it is hard for her imagine that the conflict will ever end.

Fortunately for Jacqueline, we do believe that this crisis can be brought to an end. At ENOUGH we are in the business of providing policy solutions, and we have argued consistently that international efforts to end the crisis must focus on two principal short-term objectives: to negotiate an end to the conflict in North Kivu province between the Congolese government and dissident Congolese General Laurent Nkunda, and to remove the predatory FDLR from eastern Congo.

A comprehensive peace strategy requires vigorous pursuit of the *3Ps of crisis response*: peacemaking, protection, and punishment:

Peacemaking: The international community—led by a quartet of guarantors that includes the United States, the European Union, the United Nations, and the African Union—must consolidate a recent ceasefire agreement to a lasting peace agreement that addresses the root causes of conflict in eastern Congo and deals squarely with the FDLR. Follow through must include additional funding and personnel for programs to demobilize ex-combatants and stabilize the region.

Protection: The United Nations Peacekeeping Mission in the Congo, or MONUC, must lead protection efforts by increasing troop presence in the eastern Kivu provinces and deploying to areas where sexual violence is most prevalent. Donor nations must increase support for humanitarian and development initiatives aimed at reducing sexual violence and dealing with its after effects.

Punishment: The international community must break the cycle of impunity for crimes against humanity by helping to build the capacity of the Congolese state to respond to and protect its citizens. Additionally, the International Criminal Court, or ICC, should open an investigation into the use of rape as a war crime in eastern Congo.

In closing, the short term measures to end the crisis must be accompanied with a coordinated long-term strategy to deal with the structural causes of Congo's plight. My ENOUGH colleague Gayle Smith testified on this topic before the Senate Subcommittee on African Affairs last year, and I have brought copies of her testimony to the briefing today.

Thank you again for the opportunity to brief you today, and I look forward to answering any questions you may have.