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**Post-conflict peacebuilding in Africa: the role of UNDP and
UNFPA in Angola
and the Democratic Republic of the Congo**

The DRC case study

Background note

**Sexual and gender-based violence – prevention and response /
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Background

The Democratic Republic of the Congo is coming out of a period of violent internal conflict characterized by the active engagement of neighbouring countries. The entire state structure and economy have been left in a state of disarray and degradation. The absence of rule of law, the extended period of dictatorship, impunity and massive human rights violations negatively affected human security in the country. At the end of a long negotiating process that started at the end of the 1998 war, the Global and Inclusive Agreement was signed on 16 December 2002 to end hostilities and search for peaceful, equitable solutions to the crisis. Within the framework of that agreement, the parties agreed to a 24-month political transition period. Following a one-year extension, the transition will officially end in June 2006, with general elections.

A series of multifaceted challenges arise from this context, amongst which the following are worth underscoring: (1) Responding to the unbalanced processes of development and wealth distribution through appropriate good governance related interventions, including justice and legal reform, reconciliation, public administration reform and economic governance; (2) Reversing the current weak development capacity stemming from a system of militarized, centralized governance, through capacity building, security sector reform and local governance-related interventions; (3) Addressing the pressing and increasing needs of war-affected populations to reduce vulnerability; and (4) Ensuring sustainable peace through recovery of the productive capacities and restoration of the social fabric.

In the Democratic Republic of the Congo, the United Nations works within the framework of an integrated mission approach, ensuring coordination with partners and stakeholders on an ongoing basis through various consultative and partnership mechanisms.

At the United Nations/inter-agency level, collaborative efforts are under way to support national development planning and management, including: (a) the PRSP process, in ways that contribute to redressing current imbalances, (b) addressing sexual and gender-based violence, (c) the rule of law, (d) DDR and security sector reform; (e) support to electoral process and transitional authorities; (f) community recovery, reintegration and reconciliation; (g) natural resource management to reduce conflict and enhance livelihoods; and (h) the fight against pandemics such as HIV/AIDS, Malaria and Tuberculosis.

Within this context, UNDP and UNFPA play a critical role in trying to address structural dysfunctions and the underlying causes of conflict by defining and implementing sustainable recovery and development-related solutions. Two critical interventions are worth highlighting: (a) sexual and gender-based violence, and (b) disarmament, demobilization and reintegration. UNDP and UNFPA have engaged in joint programming during 2005 in the areas of gender-based violence, and DDR and will further increase and cement joint programming activities in these areas, as well as others, in 2006.

Sexual and gender-based violence – prevention and response: Towards peace consolidation

The extent of sexual and gender-based violence. Sexual and gender-based violence on a large scale has appeared as a new phenomenon, closely linked to the civil war and recurrent

conflicts from 1996 to 2002. The number of victims of this violence is not known, due to a lack of reliable data. However, it is estimated that hundreds of thousands of people have been affected. From January to December 2005, more than 3,950 cases of sexual violence were reported. This figure is based only on incidents reports from selected provincial capital cities. Originally used as a weapon of war by soldiers in order to humiliate the enemy, sexual and gender-based violence is nowadays also perpetrated by civilians. The reason is twofold: sexual and gender-based violence is shrouded in silence and the perpetrators are seldom tried because of the prevailing climate of impunity. In addition, sexual and gender-based violence have a negative impact on the ongoing peace and reconciliation process that is vital to the development of the country.

The Joint Initiative against sexual and gender-based violence. In 2003, a joint field mission composed of United Nations organizations, including UNDP and UNFPA, and representatives of Government and NGOs, was conducted in seven provinces of the country to assess the extent of sexual violence.

Further to the joint mission, in order to support the reconstruction and transition processes in the country and to respond to the phenomenon, the Joint Initiative (composed of representatives of Government, NGOs and United Nations organizations) against sexual and gender-based violence, launched in 2003, aims to establish a multisectoral inter-agency sexual and gender-based prevention and response programme. This initiative, under UNFPA leadership, is the result of the cooperation between different United Nations organizations to assist and guide efforts of government structures and NGOs in the field. It is a multifaceted emergency assistance in favour of women, men, and children victims of sexual and gender-based violence.

Resource mobilization. The UNDP Resident Representative and UNFPA Representative mobilized the resources. Together, they called for a go-through modality for the joint programme. In addition to the funds raised from Belgian Cooperation, UNFPA and UNDP financed joint activities from their regular budgets in the amounts of \$250,000 from UNDP and \$750,000 from UNFPA. UNFPA is the lead and coordinating agency for the program whereas UNDP, UNICEF and HCHR are participating agencies. In addition to UNDP and UNFPA, OHCHR and UNICEF are members of the thematic group, the steering committee, the technical group and the provincial committee against sexual and gender-based violence. UNDP and UNFPA also finance the NGOs for the reinsertion of survivors, and liaise for monitoring of the activities. All reinsertion activities implemented in the programme are done conjointly between UNDP and UNFPA.

How can a comprehensive and holistic sexual and gender-based prevention and response program contribute to nation-wide peace building, the restoration of the social and moral fabric, social reconciliation, and peaceful coexistence between different national strata? How can it help victims of sexual and gender-based violence regain their stamina and self-esteem, reintegrate their families and communities and restore their dignity?

Reconciliation of hearts and minds is a prerequisite for peacebuilding. Authorities should recognize that victims of various forms of violence have been deprived of their rights. The healing process should be accompanied by a series of actions to help the victims restore their dignity and participate fully in national reconstruction. Sexual and gender-based violence prevention and response in DRC is crucial to the healing process and to the launching of

economic development in different key sectors. As such, it is a requirement for peacebuilding that calls for the effective participation of all members of society.

Programme design. The programme has four components: medical and health care; psychosocial support; economic reintegration; legal assistance; and security. Holistic assistance requires that these four components be coordinated so as to create synergies. Indeed, advocacy, data collection and awareness raising are cross-cutting, underlying themes for effective and efficient decision-making.

Medical and health care. Rape has numerous consequences, including physical injury, psychosocial trauma, unwanted pregnancies, fistulae and HIV/AIDS infection. The lack of capacity in terms of medical personnel and basic equipment are impediments to fully taking into account the needs of victims who often live in remote and inaccessible areas. In order to respond to the victims' immediate needs, health structures must be available and equipped and health personnel must be properly trained. Sexual and gender-based violence prevention and response demands that the health system – partially destroyed during conflicts – be restored. This will contribute significantly to peacebuilding nationwide.

Psycho-social support and economic reintegration. In addition to physical injuries, victims experience psychological trauma (such as stigma, family rejection for the victim and children born out of rape, marital separation, fear, and mental depression). Indeed, rape violates the privacy of the victim, destroys self-esteem and creates fears that need to be assuaged. Psychosocial support and economic reintegration help the victim regain self-esteem and become an active member in the development and reconstruction of the country. Family reconciliation is a requirement for community and national reconciliation. Peace cannot be achieved without peace in the hearts and souls of the victims of sexual and gender-based violence. Mental and emotional healing blazes a trail for forgiveness, a prerequisite for peace. The fight against poverty and economic exclusion also facilitates peacebuilding.

Legal assistance. Impunity is the rule rather than the exception. The findings from an assessment of the judicial system on legal assistance to victims of sexual violence are nothing less than appalling. Victims received very little legal and judicial assistance. They appear to have no recourse. They are often poor, and corruption is widespread. Court cases can take several years. As for the legal framework, the constitution that will be submitted to a referendum on December 18, 2005 contains three articles (14, 15, and 41) on sexual and gender-based violence prevention and response. In addition, two bills amending the penal code were drafted in March 2005. They are now under study in parliament as a preliminary step towards their adoption.

In order to achieve reconciliation, perpetrators have to be denounced, tried, and charged before being forgiven and reintegrated into the society. First and foremost, the silence surrounding sexual and gender-based violence has to be broken.

The healing process requires that acts of sexual and gender-based violence should not go unpunished. Various punishments for sexual and gender-based violence will contribute to the restoration of the rule of law, which is the basis for an enduring peace.

Security and protection. The lack of security and protection of civilians is conducive to an environment where perpetrators are not denounced for fear of reprisal. As a result, thousands of victims do not seek justice and suffer from psychological and physical injuries in silence.

This attitude, which stems from fear and disenchantment vis-à-vis the judicial system, hinders national reconciliation and, by the same token, peacebuilding and development efforts in the country. The Joint Initiative is advocating with Ministers of Defence, Interior and Security through training and information-sharing sessions for the police and the military. These sessions will enable them to better fulfil their role as protectors of vulnerable groups. At a higher level, advocacy initiatives are being undertaken. Meetings held with high-ranking officials, as well as public declarations, are good indications of their commitment to ensure protection of the victims and the population in general.

Some achievements of the Joint Initiative

- The Joint Initiative has increased the awareness of leaders as to the seriousness of the situation and their prime responsibility to find holistic solutions;
- Personal engagement of some national authorities at the highest level (President, Vice-president, Ministries, Government);
- Development partners have expressed more interest in the issue by providing funding (Belgium) to the Joint Initiative, to NGOs and agencies within the joint programme (Finland, Sweden, New Zealand, Germany) by committing financial resources (Canada);
- Health and maternity centres as well as hospitals have been rehabilitated and equipped. Health personnel have been trained. Victims are taken care of in a holistic manner within a multifaceted program;
- Lessons learned from this joint programme will contribute to update UNDGO guidelines on joint programming.

Major challenges. A major challenge is to implement a joint programme composed of government, NGOs and the United Nations system. Another challenge is how to prioritize the different components of the programme, given the numerous problems confronting the Democratic Republic of the Congo. As a consequence, advocacy must be conducted on a larger scale so as to put sexual and gender-based violence high on the political agenda of the country. Advocacy and awareness-raising must be strengthened in order to support the reform of laws on sexual and gender-based violence and to harmonize national statutes and laws with international instruments ratified by the country, including the Rome Statute.

The visibility of participating agencies and the role of the administrative agent have to be stressed if the programme is to achieve progress. Coordination of actions in the field between the Government, NGOs and the community is time-consuming as mutual trust is not always present. Finally, the role of development partners, their practices and individual agendas must be taken into account in the mobilization of resources necessary to prevent and respond to sexual and gender-based violence and to building peace. A holistic sexual and gender-based violence prevention and response is a healing process that will contribute significantly to an enduring peace in the post-war Democratic Republic of the Congo.

Disarmament, demobilization and reintegration

Context

Within the framework of the Multi-Country Demobilization and Reintegration Programme (MDRP), UNDP has drawn the interest and awareness of international partners with respect to DDR since the beginning of the process, before there was a Transitional Government.

Given the political context, UNDP was called upon by the President to develop a DDR strategy and institutional framework. UNDP, as a DDR lead agency, ensured overall coordination of DDR activities, in close partnership with key stakeholders. A formal handover to the nascent body in charge of DDR (CONADER) was effected in April 2004. .

During the so-called DDR Interim Phase, UNDP achieved the following results: (a) formulated a national DDR programme, which was adopted by the Government and the international community, (b) developed three operational frameworks for emergencies, focussing on (a) children associated with armed groups; (b) spontaneous, voluntary disarmament of isolated combattants in the East; and (c) disarmament of 15,000 combattants within the framework of the disarmament and community reinsertion programme in Ituri. The latter is the first MDRP DDR operation in the Great Lakes region. In addition, UNDP mobilized more than \$23 million in addition to the already-budgeted MDRP resources of \$200 million.¹

Within the framework of Security Sector Reform, which targets an initial number of 300,000 combattants, the national DDR programme will be in charge of demobilizing and integrating 150,000 of them. This operation is conducted by CONADER in close cooperation with the military integration structure (SMI) as part of the so called “Tronc Commun”² modality. To this effect, six ‘centres de brassage’³ have been set up by the SMI with support from South Africa, Belgium, the European Community and the Netherlands. Two of these centres de brassage (Luberisi and Lukusa), funded by the European Community, are managed by UNDP. In addition, 18 orientation centres⁴, seven of which are administered by UNDP, have been established to identify ex-combattants to be integrated within the new army and those to be fully demobilised and reintegrated within their communities of choice.

Although the international community is providing the Government with considerable technical and financial resources targeted at DDR and the restructuring of the army, lack of coordination between the DDR and the restructuring of the army processes affect the transition agenda negatively. The latter is mainly due to delays in the establishment of effective state authorities in areas directly impacted by the conflict, thus this contributing to weaknesses in cross border stability and security. The lack of control of the presence of foreign troops within the DRC border, mainly in the East, is a matter of concern. Therefore, major challenges to an expedited evolution and coordination of the DDR and SSR processes are represented by the following factors:

- (a) Given the fact that the army is not able to ensure **salary provision and a good working environment** for its personnel, the combattants prefer to enter the demobilization process rather than joining the new army, contrary to initial planning forecasts that may require to be reviewed and adapted to the evolving situation. A high

¹ In Ituri, the Operational Plan for Disarmament and Community Reintegration provided, on 25th July 2005 (official closing of the disarmament phase), for the disarmament of a total of 15,941 ex-combatants, including 263 women et 5,522 children associated with armed groups and forces. Currently, 29,299 ex-combatants – 22,322 of them men, 409 women, 922 girls and 5,646 boys, have been demobilized by CONADER. UNDP supported UNICEF in the development of a DDR strategy targeted at children associated with combattant groups.

² ‘Tronc commun’ is an approach by which consistency and complementarity between the restructuring of the army and the DDR process is ensured. Under this modality, registration of combatants, sensitization and orientation are common activities through which all combatants go through.

³ ‘Centre de brassage’ is an encampment military area in which eligible combatants are retrained and integrated into brigades that form the new army.

⁴ Orientation centers are encampment areas where disarmed combatants voluntary decide to integrate into the new army or join the national DDR programme, following orientation within the encampment.

percentage of combattants (60%) prefer to enter civilian life in view of the above. Current trends are undermining the constitution of the new army. In this respect, it is recommended that stakeholders focus on the improvement of the payroll system, equipment and training as well as the improvement of in-service working and living conditions;

(b) **Cross border DDR** represents another major challenge. Congolese ex-military personnel living abroad represent around 4000 ex military personnel and ex combatants. Their dependants reside in neighbouring countries, in addition to those living in Belgium, Canada and USA. A high number of them have been living in exile for 7-8 years and in extreme poverty, without any type of formal assistance due to the fact that they are not considered as “refugees”. In October 2005, the Government established a Technical Committee, co-chaired between the Minister of Defense and UNDP, composed of representatives of various national and international institutions in order to define a common action plan for repatriation. A first operation from the Republic of Congo has been carried out between 31st October and 7th November, targeting 1369 people (451 ex military, 261 wives and 657 children) from Brazzaville. For durable peace and to foster stability in the country, it would be important to address effectively and in a systematic way the repatriation of all congolese ex military personnel and ex combatants, including their dependents. UNDP has been providing technical support in this area since 2003 and has prepared a project framework to address the related underlying constraints, but, given the political context, this project has not yet been implemented.

(c) The application of a narrow military approach in the definition of the programme’s target⁵ and the lack of a gender supportive budget are at the root of the exclusion of **women associated with armed groups as a caseload within the National DDR Programme**. In DRC, many women took part in the conflict in different roles: some as ex-combatants, others as porters, cooks, sex workers, translators, nurses, spies, etc. It is worth noting that once women return to their communities, they face exclusion and stigmatisation due to their association with armed groups. UNDP has systematically adopted a gender analysis as part of its methodological approach to ensure full integration of women as beneficiaries of the National DDR Programme. Since the beginning of the drafting of the national programme in 2003, UNDP has drawn attention to the importance of mainstreaming gender in the national DDR Programme. Workshops have been organised and people trained on gender and DDR issues, gender oriented projects financed and an advisor deployed. Even if the national programme does not currently take into account this group, UNDP has ensured a more inclusive evaluation of gender specific needs of the beneficiaries in all its post-conflict projects, which partially helped to fill the gaps within the national framework, though the lack of financial resources remains a concern. Many other initiatives have been launched to ensure provision of equal opportunities through development/recovery projects, such as micro-credit and vocational training, for women.

(d) Contrary to lessons learned from DDR experiences worldwide; in DRC **dependents of ex combattants** are not considered as beneficiaries during the encampment process, for budgetary reasons. During this process, dependents are not benefiting from any assistance in terms of temporary shelter, food and drinkable water. As a consequence, this situation is generating humanitarian crisis at the borders of the encampments where thousands of dependents (women and children) wait for the demobilization of the spouse in deplorable living conditions. It is recommended that the donor’s community avails

⁵ The programme currently considers only those who have been in the front line and have actually handled a weapon.

financial resources to revert this shortcoming. UNDP, given its field presence, was able to monitor the situation, regularly. Concerning the dependants, at the reintegration level UNDP has adopted a gender approach, which includes the gender profiling of the former combattants to ensure the implementation of sustainable reintegration, taking into account the needs and rights of dependents and hosting communities. Moreover, with its own funds, UNDP has supported the reintegration of women affected by violence. Besides, gender items have been provided in the form of demobilisation kits.

(e) The sustainability of the DDR process relies on the efficiency of the **reintegration** component. However, resources allocated by the national programme for financing reintegration opportunities are scarce and lack impact on the sustainability of the reintegration process. The per capita cost agreed between the Government and the MDRP amounts to US\$ 300, which is significantly lower compared to other per capita allocations in the region. Considering the logistical constraints of a country as large as DRC and the current economic constraints inherent to the prevailing cost of living, which are two factors to take into account in determining the reintegration envelop, it is critical that the per capita allocations be reviewed upwards. UNDP, through its initiatives in support of reintegration, had been granted a per capita cost of US\$ 600 by the MDRP/WB. UNDP provided technical assistance in the setting up of the budget, which, once resources had to be made available, did not factor a per capita allocation to the level previously agree, in view of budgetary constraints. Besides, synergies with other programmes such as reproductive health, community recovery, need to be strenghtened. It is critical for the international donor community to finance community based recovery otherwise tensions among demobilised ex combattants and host communities could emerge. There is currently an inbalance in the financing of reintegration with a clear bias and preference of ex combattants. It is suggested that a specific fund to support reintegration of vulnerable and uprooted communities along host communities within a community based approach be activated.

(f) Combatants are amongst the main perpetrators of sexual and gender based violence. Regrettably, the national DDR programme has not foreseen specific measures on **sexual and gender-based violence**. It is therefore important to reinforce the synergies between the DDR and sexual and gender-based violence programmes to ensure the proper targeting of ex-combatants. This partnership can be fostered within the framework of sensitisation and advocacy activities within demobilization and orientation centers.

UNDP and UNFPA, in close coordination with other sister organizations, should further strengthen the collaborative framework that have evolved to date through joint programming initiatives, building mutually reinforcing synergies among their respective programmes to respond optimally to the post-conflict needs and challenges facing the DRC. More specifically, given the estimated strong predominance of HIV/AIDS and reproductive health concerns among ex-combatants and their depedants, synergies need to be reinforced between the DDR programme and the reproductive health and HIV/AIDS initiatives of UNFPA to reinforce programmatic impact.