



Darfur: No Redress for Rape

Five Years On, Sexual Violence Still Rife in Darfur

April 7, 2008

(New York) - Five years into the Darfur conflict, women and girls need protection from rape and brutal attacks still being committed by government forces and armed groups throughout Darfur, Human Rights Watch said in a new report released today.

Neither government security forces nor international peacekeepers have provided sufficient protection for women and girls, who remain extremely vulnerable to rape and other abuses during large-scale attacks and even in periods of relative calm, Human Rights Watch said. Survivors of sexual violence face numerous obstacles to justice, leaving them without meaningful redress. Where the perpetrators are soldiers or militia, the chances of prosecution are still more remote.

The 44-page report, “Five Years On, No Justice for Sexual Violence in Darfur,” documents the widespread prevalence of sexual violence throughout Darfur, and details incidents of violent rape perpetrated on girls as young as 11 years old. The government of Sudan has failed to rein in the abuse, much of which is carried out by their own soldiers and allied militia. In spite of the presence of international peacekeepers in Darfur, they have to date been under-resourced and unable to protect women and girls from rape and other forms of violence.

“Women and girls in Darfur are still living under the constant threat of rape,” said Georgette Gagnon, Africa director at Human Rights Watch. “The Sudanese government has declared ‘zero-tolerance’ for sexual violence, yet has done almost nothing to protect these victims.”

Human Rights Watch documented numerous incidents of rape and other sexual violence by Sudanese government soldiers, members of government-backed “Janjaweed” militia, rebels, and ex-rebels across Darfur since early 2007. These cases represent a small fraction of the sexual violence incidents as the vast majority of them are unreported.

Women and girls continue to suffer rape and other forms of sexual violence in the context of large-scale attacks. In February 2008, at least 10 women and girls were raped when government forces and allied militia carried out a massive air and ground attack on the villages of Sirba, Silea, and Abu Suruj in West Darfur, according to local residents.

Soldiers, militia, rebels, and ex-rebels also rape women and girls outside displaced persons camps and in rural areas. A 12-year-old girl described how an armed Arab man in uniform lured her and her younger sister into a secluded area by pretending to help them find their lost donkey. “He said if we went with him he would show us. He grabbed me and took off my clothes to

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Georgette Gagnon, Africa director at Human Rights Watch

do bad things to me. My younger sister ran back to the camp.”

In another case, an 11-year-old girl was raped by three armed men when she went to collect grass with her 7-year-old sister. The attack left her so badly injured she had to be evacuated by an African Union helicopter to the nearest hospital for treatment.

The government of Sudan has repeatedly and publicly denied that sexual violence takes place in Darfur, but has taken some small steps to address the problem. The government has appointed a handful of additional police and prosecutors, and established committees to combat violence against women in each of the three Darfur states. However, these steps have not reduced attacks on women or girls or increased their access to justice.

“The victims of these horrific attacks have little or no hope of redress in Darfur’s current climate of impunity,” said Gagnon. “By failing to prosecute the perpetrators, the government is giving them a license to rape.”

Despite the presence of Sudanese police – at least in main towns of Darfur – and a somewhat functional judicial system, most attacks on women and girls go unpunished. Survivors are often too afraid to report their cases and lack confidence that authorities will assist them. Even when women do report incidents of sexual violence, police routinely fail to register and properly investigate reports. Some police exhibit a dismissive or antagonistic attitude toward the survivors.

In addition, police and judicial authorities are unwilling or unable to prosecute most crimes committed by soldiers or militia. For example, during a large-scale attack on the village of Abu Sakin, North Darfur in late 2006, government soldiers and Janjaweed militia abducted eight women and girls, brutally raped at least three, and forced them to walk back to their village naked. The suspects were identified by the victims, but to date the military has refused to hand them over to the prosecutor. In other cases, police openly admit that they cannot take action if the case involves the military.

Human Rights Watch called on the government of Sudan to:

Issue a presidential decree that rape and other forms of sexual violence by government forces and government-backed militia will be promptly investigated and prosecuted, and ensure that such a decree is enforced;

Bolster the justice sector’s capacity to respond to crimes of sexual violence;

Train police and prosecutors in victim-sensitive approaches to handling criminal investigations, and ensure that properly trained female police investigators are deployed to police stations in Darfur;

Revise criminal laws on sexual violence to provide for attempted rape, and ensure rape victims are not exposed to prosecution for adultery.

Rebel forces, former rebel groups, and other non-state armed groups should issue clear, public instructions to group members that rape and other forms of sexual violence will be fully investigated and prosecuted, and perpetrators held accountable.

Human Rights Watch also called on the United Nations/African Union peacekeeping force (UNAMID) to address sexual violence and the lack of access to justice in Darfur, by:

Ensuring it deploys a sufficient number of experienced and high-ranking female police officers;

Continuing and increasing preventative “firewood patrols” to protect women and girls who venture outside IDP camps and in

rural areas; and

Ensuring all UNAMID personnel observe confidentiality guidelines and established referral pathways with the relevant humanitarian workers on the ground.

“Five years living in fear of rape is five years too long,” said Gagnon. “Women and girls in Darfur urgently need protection, and those who are victims need justice.”

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Africa

Congo: A Hell on Earth for Women

René Lefort, [Le Nouvel Observateur](#) (liberal weekly), Paris, France, Sept. 11-Sept. 18, 2003.

War, ethnic conflict, and the greed of neighboring countries have turned the eastern part of Democratic Republic of Congo into an utterly lawless place. And as if massacres and systematic plundering by armed bands weren't bad enough, the horror of rape is everywhere, too.

"She came in last evening. Five armed men had raped her the night before, a few kilometers from here," explains Mathilde Muhindo, director of a social assistance agency of the Roman Catholic diocese of Bukavu, on the eastern border of the Democratic Republic of Congo. "This morning, she was still crying. I cried with her," says Muhindo, in whose eyes traces of tears are visible. Through a window outside her office, you see the profile of a woman, her shoulders slumped, her face buried in her hands, sitting crumpled on the edge of a bed. Looking away from the building, the eye meets an infinitely tranquil countryside. In the distance, the hills of Rwanda emerge from the mist, which lends a deep gray hue to the mirror-smooth waters of Lake Kivu below.

"It was during 2000 that we began to see women coming in with the worst lesions I've ever seen," remembers Dr. Denis Mukwege, director of Panzi hospital, a few kilometers from the center of Bukavu, which is the capital of South Kivu province. "They would tell fanciful, fabricated stories to explain away their injuries."

It all began in 1994. Rwanda's Patriotic Front, dominated by ethnic Tutsis, seized power in that country and halted the genocidal attacks against the Tutsi community planned and perpetrated by the Hutus, in which an estimated 800,000 people died. Perpetrators of the genocide fled to neighboring Congo, herding along with them 1.5 million Hutu refugees whom they then forcibly enrolled in a struggle against the new Rwandan regime. To stamp out the insurgency, the Kigali regime launched its first war within Congo's borders in 1996, during which 200,000 of these refugees—men, women, the elderly, and children—were slaughtered as "genocide criminals" because they fled the advance of the Rwandan army. With the collapse of Congo's economy and the disappearance of any semblance of law and order, violence in eastern Congo became commonplace. It's a culture characterized by acute spasms of violence, fueled by ethnic hatred that is fed in turn by confrontations between radicals from both of the Rwandan sides—all of which has spilled over into Congo. This violence includes rape, carried out intentionally as a genocidal act.

Later, security considerations were overcome by greed, the primary cause of the so-called "second war," which began in 1998. A number of "elite networks," as defined by a hard-hitting U.N. report, comprising military commanders, political leaders, and unscrupulous entrepreneurs in Kigali, Kampala, and beyond, backed up by international mafias, plundered the resources of eastern Congo (coltan ore, diamonds, gold, hardwoods) and turned the region's economy to their personal profit. To accomplish their aims, they had to resort continuously to force, but without betraying their true objectives. In the "second war," Rwanda and Uganda masked their predatory intentions by clandestinely maintaining regular or irregular troops, and above all by fostering armed bands, organized along ethnic lines, forming and reforming according to the current needs of their masters. The battles among these bands have rarely led to major victories or defeats; the whole idea is to maintain insecurity and justify the militarization that enables the massive plundering. Amid all this, the local people have paid a terrible price.

According to the U.N. report, which was published nearly a year ago, the number of "excess deaths" in Congo directly attributable to the Rwandan and Ugandan occupation can be estimated at between 3 million and 3.5 million. This conflict has been the deadliest since World War II. In some areas of Congo, investigations by Médecins Sans Frontières (Doctors Without Borders) have shown that one in four children dies before the age of 5, and that one tenth of the population dies annually. "These areas have the highest mortality rates in the world." Finally, acts of sexual violence accompanying the carnage have been without precedent in their frequency, their systematic nature, their brutality, and the perversity of the way they're planned and staged.

According to a U.N. department, "on average, some 40 women were raped every day between October 2002 and February 2003 in and around the town of Uvira," a town with a population of between 200,000 and 300,000. A network of eight local nongovernmental organizations, supported by the International Rescue Committee, each

month takes in nearly 1,000 women, girls, and boys who have been raped in North and South Kivu, the latter province being these organizations' focal point. Mathilde Muhindo's center alone admitted 145 such people in June. Overwhelmed by such numbers, some of the centers will now admit women only in groups of no more than 10. Various Catholic parochial bodies, which play a key role in providing first aid to the victims, now take turns in furnishing assistance; this is the most they can do.

And all this is just the tip of the iceberg. Not every victim comes to the aid centers; the women who do are the ones who know that help is available, and who are strong enough to walk there—sometimes a journey of several days. Because the rapes are usually accompanied by a systematic pillage of their homes, these women sometimes have to borrow clothing from a neighbor. What's more, before they set out, they have to scrape up enough money to bribe the soldiers at each roadblock, and for the medical care they think they're going to have to pay for: Few of them know that the aid centers charge practically nothing, an exception in a country where the public health system is supposed to pay for itself. First and foremost, the victims who do seek help are those who have dared break the taboo, the stigma that attaches to any woman who's been raped.

Typically, an attack begins a few hours after nightfall. After encircling a village, armed men divide into groups that alternately plunder and rape. Around 2 or 3 a.m., they grab men from the village to help carry the booty back to their base. The most ragtag of the armed bands, the jungle-dwellers, the Mayi Mayi (originally local self-defense militiamen) and armed Hutus—genocide criminals or survivors of the massacres in the “first war”—will also kidnap women and girls from the target village. These women serve as domestic and sexual slaves for weeks or months, and they are sometimes traded from one armed band to another.

Since the beginning of 2002, the sexual assaults have followed patterns so common that they are becoming commonplace. Several men gang-rape a woman, repeatedly. The husband is tied up in the hut, the children are brought in; the whole family is obliged to witness the humiliation of the wife and mother. “Eight or 10 of them raped me,” one victim recounts. “My husband told me so.” The victim passed out well before the men had finished with her. Increasingly, the assailants force fathers to commit incest with daughters, or brothers with sisters. They even sodomize men, a practice that is unimaginable in the African countryside, even as part of consensual sex. The victims range in age from 4 to 80.

“She's only 14,” whispers a hospital aide, at the side of a young girl whose eyes are half-shut with pain. The room, which holds a couple dozen patients, is oddly empty and silent; in most African hospitals, busy, noisy families surround the bed of each patient. Here, most of the women patients are wearing catheters.

“The smell is awful,” a doctor has warned beforehand. Seated on a bed, a woman knits a ball of sparkling white wool and another of bright green, traditional colors for the clothing of newborns. Across the aisle, a man chants prayers, bobbing his head, his hand touching the forehead of a motionless patient. About a fifth of the 250 beds in Panzi hospital are occupied by women who undergo as many as six operations to repair the sexual injuries to their bodies, or be treated for mutilation and other wounds. In this hospital, the sexually assaulted victims are two or three times as numerous as civilians treated for gunshot wounds, and four or five times as numerous as wounded soldiers. These are very significant ratios concerning the victims of eastern Congo's interrelated conflicts.

Some 19 percent of the female victims test positive for HIV/AIDS, according to one medical source; another source puts the level at 30 percent. Fully half of the victims are syphilitic, a condition that greatly increases future risks of HIV infection. Health authorities estimate that two thirds of the fighters—regulars and irregulars—have HIV/AIDS. To a populace ripped apart by a long, cruel war, feeling abandoned by the national capital, Kinshasa, and the world, these statistics on HIV/AIDS are so horrifying that leading public figures in Kivu have denounced what they see as a Machiavellian extermination plot, if not attempted genocide. Another argument is raised: The wave of rapes is said to have begun with the regular Rwandan army, early in 2000, around the time when Kigali decided to use eastern Congo as a buffer, having abandoned as impractical the idea of turning the entire country into a Rwandan satellite. Today, however, everyone agrees that all the armed groups, without exception, commit rape en masse, with the worst offenders probably the armed Hutus.

Why? Mathilde Muhindo speaks of “violence for violence's sake,” because “these men no longer know why they're fighting, nor whom.” But the wave of barbarism is seen by others as being primarily a weapon of war. “In every case, this is a planned effort of destabilization, not uniquely by force of arms, but also by AIDS and starvation,” says a high-placed religious figure in Bukavu. Planned? No irrefutable proof has been produced. But in eastern Congo, rape—extremely violent rape—“is soldiers' work,” one of the rapists told one of his victims. The guilty parties get off scot-free, with rare exceptions, even when locals manage to capture them and hand them over to the authorities. The military commands pretty much let things take their course, including the commanders of the Rwandan army, despite its reputation for good discipline. The most convincing proof of intent, as Human Rights Watch has pointed out, is that while the Rwandan troops and guerrillas more or less respect military rules of conduct on their own territory,

this restraint disappears when they operate in North and South Kivu. The sexual violence against women constitutes a “war within the war,” Human Rights Watch insists. “These rapes are a show of force,” asserts a doctor who treats the victims. “The point is to show the husband, the family, the village, that they’re all powerless. It’s as if the rapists are saying: We can do anything we want to you.” Humiliate, terrorize, all the while stressing the victims’ total absence of recourse, until the populace resigns itself to obeying these outside masters. “We didn’t go into Congo to be popular, and certainly not to show the Congolese what good fellows we are,” Paul Kagame, the strongman of the Kigali regime, once warned.

Economic destabilization is another product of this state of affairs: agricultural production and trade have plummeted. Villagers have learned to seek refuge far away from their homes during the night, but now the assaults take place in broad daylight, in the fields and on the footpaths. And in this land, it’s the women who work the fields. As the result of the widespread violence, they now form up in groups to work a single plot belonging to one of them, hoping for safety in numbers. It’s the women, too, who carry on petty trading between the towns and the villages, but the threat of rape makes it increasingly risky to travel for trade. Malnutrition is soaring. “There is a deliberate policy of emptying the countryside and forcing the people into town, where there’s nothing for them to eat,” the high-placed religious figure says. It’s a policy that locks attackers and victims into a hellish spiral, suicidal for the attackers, murderous for the victims. As violence grows, production shrinks; as the attackers find less and less to steal, they become increasingly violent in their extortions. And no wonder: the leaders of these bands pay no salary and provide no food, with the exception of the Rwandan regulars.

Moral and Social Destabilization

“I was forced to open my wrap for someone other than my husband. The rapist reduced me to nothing,” is the way the victims put it, knowing that their husbands, children, and the entire village are aware of what happened. Everyone—women and men alike—feel an immense shame. “I’m catching a disease that I didn’t deserve,” victims typically say. A woman attorney put it like this: “In our custom, a man will refuse to take back a woman who has had sex with another man, even if it was a case of rape. It’s considered an act of infidelity.” And so, many of these rape victims are repudiated by their husbands, in a society where an unmarried woman is relegated to the bottom of the social ladder. Finally, the victims are also stripped of their kitchen utensils and cookware, as well as of their simplest farming tools—how, then, are they to assume what they consider their main duty: providing for and feeding their family?

“Since the Mobutu crisis,” said the leader of a nongovernmental organization for women, referring to the fall of the long-time Congolese dictator Mobutu Sese Seko in 1997, “It’s the women who have taken over from the men in supporting their families.” Many of the rapists were recruited or forcibly enlisted from the ranks of men dispossessed at the end of Mobutu’s rule, and some wonder whether they’re now wreaking vengeance on what they see as the newly dominant women. Whatever the case may be, the NGO leader says, “In raping these women, they want to drive them to their knees, and thus drive all of us to our knees.”

“Despite everything, these women remain very strong,” says Karin Wachter, who directs a rape assistance program for the International Rescue Committee. In the meetings Wachter attends with the victims, they ask primarily for hoes, seeds, and pots. It’s this strength that a religious sister who specializes in trauma recovery is trying to bring out in the victims. Repeatedly, she asks them: “What did they not manage to take away from you?” until the women find the answers themselves: their love for their children, always; and for their husbands, usually. Over and over, this sister has the victims relate the circumstances of their rape, getting them to dwell on what they did to resist. At this, the sister says, they begin to stand up straighter, as if they’re recovering pride and dignity. They remember: “I fought with every ounce of my strength.”