

**Security Council**

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Letter dated 20 December 2022 from the Permanent Representatives of Ireland, Mexico and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

Ireland and Mexico, as co-chairs of the Informal Expert Group on Women and Peace and Security of the Security Council, and in close cooperation with the United Kingdom, would like to share the summary note of the meeting of the Group on the situation concerning the Democratic Republic of the Congo (see annex).

We would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(Signed) **Fergal Mythen**
Permanent Representative of Ireland
to the United Nations

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Permanent Representative of the United Kingdom
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Annex to the letter dated 20 December 2022 from the Permanent Representatives of Ireland, Mexico and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

Informal Expert Group on Women and Peace and Security of the Security Council

Summary of the meeting on the Democratic Republic of the Congo held on 29 November 2022

On 29 November 2022, the Informal Expert Group on Women and Peace and Security held a meeting on the situation in the Democratic Republic of the Congo. The Chief of Staff of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), Nathalie Ndongo-Seh, accompanied by MONUSCO staff and members of the United Nations country team, gave a briefing. The meeting concluded with an overview of key recommendations provided by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), and additional observations on conflict-related sexual violence shared by the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict.

Questions from members of the Security Council

Members of the Security Council asked questions about women's participation in the Nairobi process, in the national demobilization, disarmament and reintegration process, and in the next elections. They also asked about obstacles to women's participation, women's inclusion in community prevention mechanisms, local women's inclusion in the humanitarian response and women's economic empowerment. In addition, Council members asked questions about the fight against impunity for conflict-related sexual violence, women's access to justice, the use of mobile courts, sanctions as a response to conflict-related sexual violence, outreach to survivors and hurdles to the provision of psychosocial support. Other questions were focused on the Mission's cooperation with UN-Women, its strategic communication aimed at countering misinformation, the joint transition plan and lessons learned from recent drawdowns, and priorities concerning women and peace and security in the context of the upcoming renewal of the MONUSCO mandate.

Main points raised in the meeting

- Security conditions in the Democratic Republic of the Congo have deteriorated steeply, with the resurgence of the Mouvement du 23 mars (M23); the Armed Forces of the Democratic Republic of the Congo (FARDC) have been engaged in intense fighting with M23. A multitude of other armed groups, notably the Allied Democratic Forces (ADF) and the Coopérative pour le développement du Congo (CODECO), have committed widespread atrocities against civilian populations, including women and girls. The redeployment of State security forces and MONUSCO troops from other conflict-affected areas in response to the resurgence of the M23 has been exploited by other armed groups, such as ADF, with devastating consequences.
- Women were largely absent from the start of the Nairobi consultations in April 2022. However, in the third round of consultations, which is currently being held, 40 per cent of the participating civil society representatives are women. MONUSCO identified six women with strong experience, one of whom was selected to coordinate activities for eastern Democratic Republic of the Congo.

UN-Women, in cooperation with MONUSCO, provides technical support to women participants.

- Women are actively engaged in peace efforts at the grass-roots level in eastern Democratic Republic of the Congo. In Ituri, women have been an integral part of a series of intra- and intercommunal dialogues, in particular those involving the Hema, Bira and Lendu communities. The dialogues are being facilitated by provincial and territorial authorities with support from MONUSCO. In April and June 2022, these dialogues enabled the adoption of “acts of engagement” by two armed groups that claim to represent community interests, namely Front patriotique et intégrationniste du Congo and CODECO. Some of these dialogues have led to real reductions in violence. In North Kivu, in 2022, MONUSCO trained 350 women in conflict resolution and mediation techniques. Moreover, in Goma, in October 2022, MONUSCO initiated a series of confidence- and capacity-building workshops to support women’s participation in the 2023 national elections as candidates, campaigners, advocates and voters. All across these three provinces, women are being integrated into security governance and early warning and response mechanisms maintained by the Mission, including community alert networks and local protection committees.
- The Democratic Republic of the Congo is currently implementing its second national action plan on women and peace and security, and subsidiary action plans have been adopted in three eastern provinces, including in Tanganyika province, from which the Mission withdrew at the end of June 2022.
- Women make up 27 per cent of the current Government, including women with influential portfolios. Under the new electoral law, promulgated in June 2022, lists of candidates that have at least 50 per cent women on them are exempt from registration fees, and lists of candidates without women are no longer admissible. MONUSCO highlighted the need to encourage the Independent National Electoral Commission to reject lists of candidates without women in a way similar to what the electoral commission of Kenya had done during the last elections in that country. There, the electoral commission had rejected lists that were in breach of quota regulations, giving the political parties in question a few days to remedy the situation. As a result, more women were registered as candidates. MONUSCO noted that the establishment of women-only or mixed police units could be an effective measure to facilitate the participation of women as voters, candidates, observers, witnesses and civic educators. Security and lack of financial means are barriers for women’s participation as candidates. Women have expressed the need for better access to media and coaching to deliver their messages in an efficient manner to increase their election chances.
- In 2021, the United Nations documented 1,016 cases of conflict-related sexual violence in the Democratic Republic of the Congo, more than in any other country. Since the beginning of 2022, the United Nations verified 537 incidents, 70 per cent of which were targeted at women (379), 29 per cent were committed against girls (154), and 4 against men. Almost 80 per cent of the cases were attributed to armed groups, and approximately 20 per cent to members of the State security apparatus (military, police, and intelligence service). High levels of sexual violence continue to be linked with wider peace and security dynamics, such as the proliferation of small arms and light weapons, the illicit exploitation of natural resources, intercommunal clashes, incomplete disarmament, demobilization and reintegration, and inconsistent oversight of the security forces. Sexual violence is used as a tactic to assert control over natural resources and territory as part of the political economy of war, during abductions and raids on villages, and as a tool of collective punishment for perceived collaboration with other parties to the conflict. Women are often

targeted in the course of sustenance and livelihood activities, which exacerbates food insecurity and the feminization of poverty. Survivors often face rejection, with mothers of children born of rape in particular often seen as affiliated with the perpetrator and denied access to basic social services.

- Sexual violence remains chronically underreported owing to stigma, shame, reprisals, access constraints and limited coverage of services. There are reports of armed actors targeting health-care structures and personnel in order to prevent cases of sexual violence from being recorded. The monitoring and reporting of conflict-related sexual violence in the Democratic Republic of the Congo is impeded by the drawdown of MONUSCO, as part of which several field offices were closed, the recent violent demonstrations and ongoing anti-United Nations sentiment, and the resurgence of M23 and the security vacuum created in other volatile regions following the strategic redeployment of Congolese troops in response.
- With 20 listed armed entities, the Democratic Republic of the Congo has consistently recorded the highest number of parties listed in the annex to the report of the Secretary-General on conflict-related sexual violence. While the vast majority are non-State actors, the FARDC has been listed for a decade (since 2012), and the Congolese National Police has been listed since 2013.
- As a result of the Joint Communiqué between the Government of the Democratic Republic of the Congo and the United Nations on the Fight Against Sexual Violence in Conflict, adopted in 2013, and its addendum signed in 2019, specific action plans by the armed forces and the police have been adopted to prevent conflict-related sexual violence. Moreover, MONUSCO has supported the recent establishment of a task force to accelerate implementation through a whole-of-government approach involving all relevant line ministries. The Government of the Democratic Republic of the Congo was the first to appoint a dedicated special adviser to the President to coordinate efforts in that regard.
- A draft national reparations law for victims of conflict-related sexual violence has been submitted to Parliament. It provides for the creation of a national reparations fund.
- MONUSCO is raising awareness about sexual and gender-based violence among the population through courses at universities and radio interviews, among other things, and with national authorities, including the judiciary and the police. The military component of MONUSCO conducts gender-sensitive long-range patrols with its female engagement teams. Police component personnel co-locates with and trains specialized sexual and gender-based violence units of the Congolese National Police. Police units specialized in dealing with sexual violence are based in Goma and Bukavu. The mission supports court authorities in prosecuting cases and facilitates mobile courts.
- Holistic support, including psychosocial and judicial support, is provided to survivors of sexual and gender-based violence at one-stop centres.
- Between January and September 2022, nearly 75,000 cases of gender-based violence were recorded, which is likely an undercount. The majority of registered cases are rapes.
- The President of the Democratic Republic of the Congo, Félix Tshisekedi, used his position as Chairperson of the African Union to champion positive masculinity. MONUSCO regularly facilitates workshops on the issue, including for members of the security sector.

- The Democratic Republic of the Congo has the largest population of internally displaced persons on the African continent: about 5.6 million. The majority are women. Internally displaced women and girls are at a heightened risk of sexual violence, abduction and forced marriage. Furthermore, data suggest that up to 6 in every 10 internally displaced women have been forced to exchange sex for work.
- Congolese people, in particular women, are very entrepreneurial, but in eastern Democratic Republic of the Congo, their ambitions are hampered by insecurity and a lack of infrastructure.
- MONUSCO faces a crisis of confidence among the population. Parts of the Congolese population blame the mission for what is perceived as a multi-generational cycle of violence with no end in sight, which facilitates mis- and disinformation and the manipulation of public opinion, a situation that affects the Mission in its operations. The current crisis also has a negative impact on the Mission's engagement with women groups that fear reprisals because of their engagement. Communication has shifted to alternative channels such as chat groups. In addition, some institutional relationships have been frozen. MONUSCO is working to change the narrative on social media, emphasizing its achievements on the humanitarian front to show that it is a multidimensional mission whose activities are broader than just its military operations. Some key figures, such as the gynaecologist Denis Mukwege, have publicly spoken out against the misinformation.
- The joint transition plan has 18 benchmarks. 40 per cent of its 83 indicators relate to gender issues such as women's participation in community mechanisms or the implementation of the national action plan on women and peace and security. The Government has informed MONUSCO of its position that the plan should be revised and urged acceleration of the plan and an earlier end date. The gender-responsive benchmarks will be maintained.

Recommendations

The following recommendations were made by UN-Women, as the secretariat of the Informal Expert Group.¹

In the upcoming negotiations on the Democratic Republic of the Congo in the Security Council, the Council should retain the references to women and peace and security in its resolution [2612 \(2021\)](#) and consider the following language in the operative paragraphs:

Calls for the full, equal and meaningful participation of women in peace processes from their early stages onwards and at all levels, including in the Nairobi process, as well as in their implementation and monitoring, and as beneficiaries of the operationalization of the national Disarmament, Demobilization, Community Recovery and Stabilization Programme (P-DDRCS);

Calls for the full, equal, meaningful and safe participation of women at all levels of the process leading to the elections scheduled for 2023 and requests MONUSCO to support the Government of the Democratic Republic of the Congo, the Independent National Electoral Commission, political actors and

¹ The recommendations are suggestions made by United Nations representatives participating in the meeting or were contained in the background note prepared by the secretariat of the Informal Expert Group ahead of the meeting; they are not recommendations made by the Informal Expert Group as a whole or by members of the Security Council.

civil society to strengthen the meaningful and safe participation of women in this process as voters, candidates, observers, civic educators and administrators;

Requests MONUSCO to ensure that gender-based hate speech and violence is addressed as part of ongoing efforts to expand the political space for women in the lead-up to elections, including as part of early warning and risk assessments;

Requests MONUSCO to monitor and report specifically on violations, abuses and reprisals committed against women in public life, including women peacebuilders, human rights defenders, journalists and politicians, and to ensure that this information is included in the Mission's data collection, threat analysis and early warning system;

Requests MONUSCO to prioritize gender-sensitive community engagement, including regular consultations with women's civil society organizations, in all areas of its mandate implementation and in its efforts to prevent and counter disinformation as well as hate, tribalistic, xenophobic and discriminatory speech;

Welcomes the creation of the new Government task force to advance the implementation of the Joint Communiqué between the Government of the Democratic Republic of the Congo and the United Nations on the Fight Against Sexual Violence in Conflict, and urges the adoption of pending legislation on reparations, as well as specific legislation on the protection of victims and witnesses, as part of a holistic national strategy on transitional justice;

Stresses the importance of a gender-responsive transition process and requests MONUSCO to establish a formal structure to facilitate the participation of civil society, including women's groups, regularly consult with women's civil society organizations across the country at all stages of the transition and ensure that activities related to women and peace and security are transferred in a sustainable manner;

Requests MONUSCO and the United Nations system to ensure that gender remains a cross-cutting consideration of the priority benchmarks to be identified in the reassessed transition plan and that the plan addresses sexual violence as an integral part of civilian protection and the consolidation of peace.

When renewing the sanctions regime for the Democratic Republic of the Congo and extending the mandate of the Group of Experts, the Security Council should consider adding a stand-alone listing criterion related to sexual violence, request the Secretariat to include the necessary gender expertise in the Group of Experts and request the Group of Experts to integrate gender as a cross-cutting issue across its investigations and reporting. The Security Council Committee established pursuant to resolution [1533 \(2004\)](#) concerning the Democratic Republic of the Congo should consider listings related to conflict-related sexual violence.

In addition, the Co-Chairs of the Informal Expert Group and other members of the Security Council should:

- Urge the inclusion of women in all regional diplomacy efforts and to ensure that conflict-related sexual violence is duly addressed in all resulting agreements
- Support the implementation, resourcing, and review of the second national action plan on women and peace and security, as well as the development and adoption of a third national action plan with the participation of women's civil society organizations
- Provide financial support to women-led local peacebuilding initiatives through long-term and flexible funding for women's civil society organizations

- Urge the Government of the Democratic Republic of the Congo to adopt the planned policy framework on reparations and align the text of the draft law on reparations with international human rights standards
- Urge the Government of the Democratic Republic of the Congo to develop and operationalize the reparations fund for survivors of conflict-related sexual violence and to set aside sufficient and sustained funding in the national budget for the disbursement of court-ordered reparations
- Encourage the Government of the Democratic Republic of the Congo to take a strong lead in setting up and strengthening the task force to implement the Joint Communiqué between the Government of the Democratic Republic of the Congo and the United Nations on the Fight Against Sexual Violence in Conflict
- Ensure the sustained presence of women’s protection advisers, including in the context of transition, to ensure the continuity of monitoring and response capabilities
- Urge the inclusion of local women’s organizations in the humanitarian response.

The Co-Chairs thanked the Chief of Staff of MONUSCO and all participants, and committed to giving follow-up to the important issues raised at the meeting.
