



Country Research: **Democratic Republic of Congo (DRC)**

1. About the Research Project

The research aims to develop an understanding of women's leadership in conflict and post-conflict contexts and to develop a common political agenda through strengthening women's movement building.

While the research project concerns the women's movement generally, the main subjects of this research are:

- ▶ Women engaging in movement building at grassroots and policy levels
- ▶ Women active in the areas of GBV; SRHR, Women's leadership; women's organising;
- ▶ The breath of women leaders in government; trade unions, trade and industry, philanthropy, professional associations, CSOs, initiation orders, religious orders; and
- ▶ Young women civically concerned and engaged

2. MAP OF DRC



3. BACKGROUND

The Democratic Republic of Congo (DRC), whilst having the potential to be a rich country, is in fact, a poor country. Corruption and armed conflicts in particular have inhibited infrastructure development and, hence, has complicated the access of the majority of the population to basic services as well as the protection and promotion of basic rights.

The economy which has been declining since the early 90's, is primarily an agriculture-based and cannot meet local demands. The sadly famous ores of the DRC have become the battle field of international corporations and are also pointed to as one of the sources of conflict in the Eastern part of the country.

3.1 Historical background

The Central African country the Democratic Republic of Congo (DRC), also formerly known as Zaire has an estimated population of over 70 million (National Institute of Statistics, 2010). It is one of the few countries sharing its borders with nine other states: the Republic of Congo,

Central African Republic, Sudan, Rwanda, Burundi, Uganda, Tanzania, Zambia and Angola. Geographically speaking, the country is exactly at the heart of Africa and politically at the heart of three major economic exchanges areas; the Economic Community of the Central African States (ECCAS), Common Market for Eastern and Southern Africa (COMESA) and the Southern African Development Community (SADC).

The DRC is known in modern history since the 15th century through the stories of the first Portuguese explorers who described it as the country of big pre-colonial political organisations such as kingdoms and empires Kongo, Lunda, Luba, Kuba ; among others and it has been subject to different kinds of oppression that resulted in the looting of its resources . The exchanges with the Portugal explorer kingdom, which quickly changed into domination, resulted in four centuries of slavery before becoming the private property of the Belgian King, Leopold II.

In 1908, after having gotten wealthier through the rubber trade and other goods in the region such as wood, King Leopold II, following bankruptcy, handed over the territory to the Belgium government. The country was then called the Belgian Congo and this was the start of the official colonisation which lasted nearly five decades. In the 1950s, the winds of independences started to blow which led to the creation of some Congolese parties who advocated for the Congo to belong to the Congolese. After several years of political crises, the colonisers and the Congolese separatists agreed to sit around the same table to discuss the conditions for independence; to be effective on June 30th, 1960. But this independence resulted in a political crisis which led to, among others, the assassination of the Prime Minister, Mr. Patrice Emery Lumumba, and succession attempts in Katanga, the country mining reserve, and rebellions in the current "Province Orientale". In 1965, Mobutu, a young army Officer, following a coup, took power by force from the elected president, Joseph Kasavubu. He stayed in power over thirty two years and established a dictatorship regime characterised by the lack of basic freedoms and the development of corruption.

In 1994, following the perpetration of genocide in Rwanda, the DRC, sharing the border with the "thousand hills" country, quickly became a host country for tens of thousands of Rwandan refugees and a refuge for the genocide perpetrators. Most of those seeking refuge in the country, gathered and organised the counterattack against the Patriotic Front which was established in Rwanda.

In the background to this crisis, in the eastern part of the DRC some militias were being created in order to defend themselves and resist the enemies. In that same environment, Mr. Laurent Désire Kabila, a former militiaman in the 60's exploited the political instability in the eastern part of the country by setting up an army and starting a two-year march to Kinshasa, the Capital City. On the 17th of May 1997, he self-proclaimed President, replacing Mobutu who died some months later in exile in Morocco.

In the meantime, Rwanda, feeling threatened by the presence of the former militias on the Congolese territory, supported an armed rebellion in eastern part of the DRC and Uganda. For

2 years, the country was cut into two parts. Kinshasa and the loyalist forces controlled a little less than half of the territory.

This crisis ultimately resulted in the signing of a comprehensive and inclusive agreement in 2008 which enabled the main protagonists to come together in a government, just in time to organise free, democratic and transparent elections. In the meantime, the self-proclaimed President Kabila was assassinated in Kinshasa and his son, Joseph Kabila, took over the Head of the executive. He organized and won the elections in 2006.

3.2 Socio-economic situation

The DRC is a country of paradoxes; with subsoil, which some consider a « geological scandal » since there is plenty of minerals (copper, tin, zinc, uranium, diamonds, gold, coltan, cassiterite). One third of the land is covered by a tropical forest, which makes it a rich country in wood with huge agricultural potentials. But, despite that, 95% of arable land is unused and agriculture is still a women's activity and it is manual.

Despite its wealth potential, according to the HDI classification of UNDP in 2007, DRC was in the 168th position out of 177 countries; corruption, armed conflicts, poor management and resource sharing have led the country into deep poverty.

In 2005, its gross domestic product (GDP) per capita was \$ 714 and it represents 1/17 of that of Botswana or one tenth (1/10) of Namibia's income per capita.

Almost 80% of the population is surviving with less than one U.S. dollar per day per person. This global poverty context has been worsened by the different armed and community conflicts.

In these conditions, the access to basic services is hampered either due to the quasi-inexistence of infrastructures or due to the fact that education and health care are the expense of the population.

3.3 Governance

Despite multi-party elections in 2006, the political regime in the DRC is considered to have authoritarian characteristics. Some argue that the Kabila regime is neither authoritarian nor democratic, but is rather a hybrid regime. Whilst political parties were able to campaign for the 2006 elections, marginalisation and repression of opposition figures since the elections poses challenges to a democratic environment (Matti, 2010). The persistence of conflict has also had an impact on electoral politics which undermines governance by reinforcing a politics of identity over ideas. At the same time, the potential of further conflict is threatened by divisive ethnic politics.

State-society relations are tenuous in the DRC. Civil society has grown in the DRC; however it has yet to become a genuine political force that can play a meaningful role in improving political transparency and countering corruption (Trefon, 2010). Since the 2006 elections, civil society has also been undermined through the politicisation of many groups; infighting; lack

of resources and capacity; and continued repression and abuse by the government of human rights defenders (Afoaku, 2010; Davis, 2009). The Kabila regime has also attempted to curb the independence of the media (Matti, 2010).

The Congolese security system is currently not only incapable of defending the state and the state's authority, but it also poses a threat to the population as a whole. The Transitional Government (2003-2006) failed to address justice or human rights issues, which resulted in a system of entrenched impunity. Access to justice remains extremely limited outside of Kinshasa, due to underfunding and understaffing. The system is unable to deliver day-to-day rule of law for the population, let alone tackle serious crimes and abuses during the wars, including rape and sexual violence (Afoaku, 2010; Davis, 2009). There is thus little redress for victims of violations (Afoaku, 2010). Further, impunity for crimes of sexual violence is likely to hinder the participation of women in a democracy, if their security is constantly under threat. The Kabila regime has indirectly undermined the independence of the judiciary by depriving it of funding, (Matti, 2010). Congolese judges are subject to undue influence from government officials and powerful individuals; and there is frequent political interference with judicial processes (Afoaku, 2010; Davis, 2009).

Democratic oversight of the police also remains a big challenge. This is in part due to resistance from the police hierarchies that are unaccustomed to operating within a democratic environment; and in part due to the failure of parliament to fully engage in oversight. Weak state apparatus has meant that 'rule of law' has not been applied consistently at the local level despite the constitution and new legislation (Jackson, 2007). Corruption is endemic at all levels of society in the DRC (Trefon, 2010; Afoaku, 2010). Insufficient and infrequent payment of salaries also fuel petty corruption among civil servants, police and soldiers.

Corruption, mismanagement, insufficient institutional capacity and fundamental governance deficiencies have contributed to poor results in the lucrative mining and forestry sectors in the DRC (World Bank, 2008; Trefon, 2010).

Food insecurity in the protracted crisis situation of eastern DRC needs to be tackled not only through support for short term consumption, but also through a political economy approach that tackles structural causes, such as depleted asset stocks, and examines institutional contexts. Institutional settings play an important role as they mediate access to land and markets, which determine households' livelihood opportunities and food security (Lecoutere et al, 2009).

The denial of nationality and of citizenship rights to people of Rwandan/Burundese heritage (members of the Hutu and Tutsi ethnic groups) is an important issue in the DRC. Although a new law on nationality was adopted in 2004 that provides for nationality by origin and by acquisition, the law is poorly implemented.

The (re)formation of social capital is also a challenge in the DRC – where the decline of economic, political and social infrastructure has resulted in distrust.

3.4 The situation of women in DRC

In the Democratic Republic of Congo, women and girls are just over half the population, i.e. 52% of individuals and almost 54% of the workforce. In rural areas, they provide the largest share of farming labour. Women's economic position has also been affected by the collapse of the formal sector and the high level of unemployment in the non-agricultural sector. In urban centres, women are found in vital sectors such as education and health.

In the present day DRC, women and girls are the most affected by social, cultural, political and judicial realities. Some of these range from sexual and other forms of violence, poor social service and social security, poor health and high levels of poverty. During the 1990s, conflicts and structural adjustment programmes to reduce external debt led to increasing poverty of most of the population especially women of whom 61.2% live below the poverty line and this situation is even worse in households headed by women. The feminisation of poverty is also due to the discrimination experienced in the development sectors: laws, education, health, and access to resources¹. While the figures are so alarming and there is need for more efforts to raise the Congolese women's standard of living, budgets allocated to programmes directly targeting women does not reflect the reality.

Women live under the dual cloak of politically-imposed silence as well as silence due to their gender. (Kanengoni and Mukenge, 2008). Eastern Congo, a region twice the size of Uganda, has borne the brunt of brutal military campaigns from 1998 to 2009. Tens of thousands of women have been raped by multiple armies from Congo and neighbouring countries, often as part of a strategy to humiliate communities and destroy social structures and norms. The region has seen massive population displacement, disruption of agricultural activities, and acute poverty. As a result the standard of living has drastically lowered, with food security becoming a daily struggle, primarily for women and girls. Overall, across the country, women face social marginalisation and reap limited benefits from their labour.

These realities are the impetus for the political awareness as well as activism of women as stakeholders in the public sector as well as civil society. Women from a range of organisations across the spectrum (including the grassroots) managed in 1995 to organise themselves to attend the Fourth International Women's Conference in Beijing. The outcomes from this participation as well as the wars that broke out in the Eastern part of the country (at the border with Rwanda where tens of thousands of displaced people flowed in order to escape from the genocide) provided strong motivation for women to continue organising themselves. The fact that the conflict has also led to the country being divided into three before the signing of the agreement by the leaders of different factions to put an end to the war, has also accelerated public action, advocacy and lobbying by women which has resulted in many others following suit across the country. Women in their diversity are uniting in their efforts to put an end to the cruel and brutal, sexual violence which is a key characteristic of the armed conflicts and to take leadership in finding solutions that would lead to peace and the settlement of the

conflicts. Women's advocacy has also focused on shifting power as it is manifested in the patriarchal forms that continue to subordinate women and girls.

3.5 The legal framework, discrimination and inequalities

The DRC is party to various international legal instruments governing equality between men and women notably the UN Charter, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Protocol to African Charter on Human and Peoples' Rights.

At the national level, it has included in its 2005 constitution the parity between men and women in the public institutions, and it has also promulgated some specific laws on specific issues related to women. That is notably the Law n° 06/018 of 20th July 2006 amending and complementing the 30th January 1940 Decree on the Congolese Penal Code and the Law n° 06/019 of 20th July 2006 amending and complementing the 6th August 1959 Decree on the Congolese Code of Penal Procedure, the Law on Protection of People Living with HIV and the Law on Child Protection.

The fact is that, despite the ratification of these instruments on the equality principles of rights between men and women, the implementation is not effective.

Despite this legal arsenal, there is still a need to review the Family Code, Labour Code as well as an article of the Penal Code which also have some discriminatory provisions and are treating men and women differently. Here are some examples:

1. *Nationality*

- ▶ Congolese women lose their citizenship if married to foreigner (a.30)

2. *Parental rights and responsibilities*

- ▶ In case of disagreement on the name to give to the child, the father has the priority
- ▶ The household book is given only to husband.

3. *Legislation on the free movement of people*

- ▶ Congolese woman still has her residence at her husband's house
- ▶ Congolese woman has to follow her husband wherever he thinks it's appropriate to reside

4. *Legal capacity*

- ▶ A married woman is subjected to marital authorization for legal action that she is undertaking, either to sue, to purchase or to alienate

In addition, the Family Code specifically addresses polyandry, but says nothing about polygamy.

What is more, beside these legal instruments, customary law remains a very powerful influence in Congolese life. Indeed, the Congolese law still allow that customary courts to settle disputes

at the territory level where there are no peace courts. This is due to either the war, which did not help to establish peace courts across the country, the distance between villages, and the nearest courts which can go up to 300 km in some cases, and the corruption that exists in the sector. More than 69% of women refer to customary law to settle the main disputes notably the inheritance related issues.

Some problems were also reported in the area of violence against women. Indeed, proponents of traditional practices sometimes revert to practices prohibited by law, including transactional fines for sexual abuses.

4. CONTEXT AND METHODOLOGY

4.1 Understanding the situation in the DRC

To speak about the reality of women's lives, linked to rights and organising in the Democratic Republic of Congo, it is important to first understand the diverse crises that have shaken the country over the last 15 years as they have all had an impact on the situation of women, their rights and their health. The armed conflicts and violent acts of the armed groups of foreign origin that are hiding in the DRC territory have always created horrific consequences for civilian populations.

If the DRC has become the country where the cruellest kinds of sexual violence in the world are perpetrated it is because of traditional customs and the absence of state authority. This is then translated into the state not enforcing laws when they exist and not modernising them when they are no longer relevant.

► **Impact of the 1995 crisis on women and girls sexual health and rights**

The armed conflicts experienced by the country in the east side, from 1995, a year after the Rwandese genocide, are without doubt the starting point. A high volume of people particularly Rwandese refugees fled the inter-ethnic massacres which led to tens of thousands of refugees that integrated rapidly with the local population. They then shared, among other things, the precariousness and inadequacy of health and social structures.

These situations were of higher risk to women. Refugee camps were not secure enough to offer them the protection they needed to shield them from rape; and in turn many women resorted to sex work to provide for the needs of their families.

This conflict was also characterised by the creation of dozens of Congolese militias (supported by foreign forces) to defend the interests of the local people. All these armed forces organised themselves and were taking on new recruits, including children. Roughly, 40% of the children linked to armed forces are girls. NGOs have expressed concerns that these armed groups are hesitant to free the young girls (World Vision, 2005).

In addition, conflict is always accompanied by a regime of terror where women and girls are raped, subjected to sexual slavery and kept in conditions that does not allow access to health care. The majority of the 4 million Congolese who lost their lives during this armed conflict died from diseases that could have been prevented or cured.

In 2008, a peace and disarmament agreement was signed by the main armed groups which were incorporated into the regular army. The military operation that subsequently followed with the objective to subdue recalcitrant groups by using force, created an additional source of insecurity for the civilian population that found itself caught in its iron grip. On the one hand the regular army consisted of units of armed groups, the same groups that committed acts of violence against the civil population; and who on the other hand lived among the population, used them as human shields and also from time to time attacked them in retaliation to the operations of the disarmament forces.

► **The conflict of Ituri (Eastern Province)**

Ituri is a district of the Eastern Province in the north-east of the Democratic Republic of Congo. Between 2001 and 2004 this region was the arena of armed confrontation between Lendu and Hema ethnic groups. The creation and proliferation of ethnic militias were accompanied by recruitment of children and all sorts of atrocities were committed against civilians, mainly women and girls.

To end this situation of insecurity, in 2003, the Security Council of the United Nations authorised the deployment of an interim emergency multinational force in Bunia (Eastern Province) in close coordination with the MONUC contingent deployed in the city in order to contribute to the stabilisation of security conditions. This move was also meant to improve the humanitarian situation in that area, to protect the airport and displaced persons in Bunia's camps and, if the situation required, to help ensure the safety of civilians and UN personnel and humanitarian organisations in the city. (Resolution 1484 of the Security Council of the United Nations, May 30, 2003).

It was called operation Artémis: a military mission conducted from 6 June to 6 September 2003 in Ituri by the European Union under the European Security and Defence Policy (ESDP) and under the authority of the UN Security Council. One year later, in May 2004, six of the seven armed groups in Ituri signed the "Deed of Commitment from Kinshasa" by pledging to disarm. The district administration of Ituri moved to Bunia to replace the temporary special administration.

The perpetrators of conflict are now on trial before the International Criminal Court.

► **The reign of the Lord's Resistance Army (LRA) on the Upper and Lower Uélé (Eastern Province), 2006 to 2009**

In 2006, while the Ituri timidly emerged from these conflicts, the Eastern Province, in one of its other districts, the Upper Uélé, was plagued by new conflicts. The LRA soldiers that chased from the Ugandan territory came to settle in the Garamba National Park, an area of anarchy.

From this uncontrolled zone, they made frequent excursions into Congolese villages, looting, torturing, raping and transforming girls into sex slaves and forcing children as young as 5 years to take an active part in the armed conflict.

In 2008 and 2009, they committed massacres notoriously known today as the "Christmas massacres". For two years, towards the end of that year, they distributed tracts to announce an imminent massacre. These massacres cost the lives of more than 300 people each time including many women and children. In 2009, joint military operations between the armies of Sudan, Uganda and DR Congo were set up to force them to disarm.

To respond to these crises, women's organisations carried out a strong advocacy and lobbying campaign with the government, UN agencies and various development partners represented in the Congolese capital, Kinshasa. This has resulted in, among other things, a law on sexual violence. These organisations are also involved in the peace efforts.

4.2 The research terrain

The Democratic Republic of Congo is a country the size of Western Europe but without infrastructure. The distance from the capital Kinshasa with other cities across the country reaches up to 2000 km as in the case of the eastern part of the country. Kinshasa is where the government, the key state institutions, diplomatic missions, the UN agencies and other development partners are situated. The only way to join these two parts of the country is by airplane. The local airlines are unsafe and generally unprofessional.

Bukavu and Goma in the east of the country were two important locations for this research. First, because they happen to be in the heart of the conflict zone and as a result, they host representatives of humanitarian organisations and women's organisation engaged in advocacy and public awareness of the sexual violence suffered by women and girls in this part of the country.

Outside urban centres, it was crucial to make the voice of rural women's organisations heard. These organisations make a huge and commendable contribution to work for the benefit of women survivors of violence. Because the area is served only by three airports, we had to use cars, driving for hours on roads barely built and in the areas considered as unsafe because of the presence of armed militias or military operations of the Congolese army carried out against the last dissident armed groups.

To interview women in the Eastern Province where the situation is prevailing in the Upper and Lower Uélé, two districts in the Eastern Province, we had no other choice but to rely on the testimony of women and organisations that have already left the area of concern and were now staying in Bunia, the capital of the Ituri District. (Eastern Province).

The regions of Upper and Lower Uélé are less accessible, with only humanitarian flights that serve them and which is quite irregular.

4.3 Methodological choices and approaches

To conduct this research, we had to make choices that match the context of the DRC. The literature research focused on documents produced in the DRC. It should be noted that during the many years of political instability; insecurity and logistical problems sharing of statistics and other reliable data was not permitted. We therefore mainly based our research on two documents: the Multiple Indicator Cluster Survey (UNICEF) and Demographic Health Surveys that are, in our opinion, the only documents of reliable statistics showing the data of the entire territory.

The strategy document from the Ministry of Justice also allowed for data disaggregated by gender.

To this, we added interviews with specific people representing the key stakeholders working toward finding a solution to the multifaceted crisis that has hit the country.

Finally, focus groups have helped to fill gaps with the reality on the ground that might arise in the interpretation of data from the literature, the vision of donors and implementing agencies.

4.4 Choice of sample (capturing peripheral voices, whose voices?)

In order to provide a comprehensive reflection of the crisis and its impact on women's situation in the DRC, various departments were interviewed including that of gender, family and children whose mandate it is to promote the status of women.

The United Nations initiatives were also included in our sample, including United Nations Organisation Mission in the Democratic Republic of Congo (MONUC), the United Nations Population Fund (UNFPA), the World Health Organisation (WHO), the United Nations Children's Fund (UNICEF), and the joint initiative of fight against sexual violence.

Key women's organisations in the country were also interviewed including Common Cause, the Women's Action Network (RAF), the Association of Women Lawyers of Congo (AFEJUCO), the Women Caucus, and the permanent framework for consultation of Congolese women (CAFCO), the National Network for the Defence of Women's Rights (RENADEF)

In the process of doing this research, other women working in organisations of broad interests were also invited to add their voice and perspectives on women's issues. Thus, women of the main workers' unions, women's organisations working in the private sector also made their contribution.

Besides these women, a prominent place was given to grassroots women, those who work directly in the field and run local organisations. This allowed for a broader reflection on experiences, needs and challenges at the community level.



5. THE ENJOYMENT OF WOMEN'S RIGHTS IN DRC

5.1 Gender-based violence

"We can be fifteen (women) in this room telling each other that we have rights but as soon as a male baby enters this room, he automatically has more rights than us."

Participant in a focus group of Bukavu

Gender-based violence is rife in the DRC and exists in different forms. This includes domestic, sexual violence and harmful cultural practices.

Domestic violence is the most common form of violence since it is widely accepted by society. Reports from the Ministry of Gender state that two out of three women are affected by it. More and more girls are being recorded by initiatives which were, so far, classifying them in the data with regard to child protection, without disaggregating it by gender. It can thus be estimated that violence against children (incest, rapes) that are generally considered as domestic violence could increase the current rates.

Research and the experiences articulated by women confirm that in post-conflict situations, domestic violence is at an all-time high. In addition, the forms of violence such as marital rape are not yet taken into account as domestic violence. Currently, Congolese women experience violence in myriad forms including, physical violence (battery, wounding, sexual violence), psychological violence (humiliation, sexual harassment, insults, degrading treatment of widows) and economic violence (such as lack of access to resources, work overload, non-participation in decision making related to the household budget etc)

Sexual violence is another form of violation that has been aggravated during armed conflicts. For 2009 alone, more than 45,000 women were raped, and 1000 over the first quarter alone. This has led the UN Special Rapporteur, Margot Wallstrom to declare Kinshasa, the rape capital of the world.

Women and girls in the DRC, particularly in the Eastern part of the country, are victims of sexual violence perpetrated mainly by combatants belonging to the different parties, including the army. In the DRC, sexual violence is considered to be perpetrated by the conflicting parties, and was brought to the attention of world through the media and human rights organisations. Several organisations have denounced the phenomena where women's bodies have become a weapon of war resulting in the rape, kidnapping, humiliation, forced pregnancy, sexual abuse and slavery. Some results from this include the adoption of a law on sexual violence in 2006 which acknowledges a new classification of offenses and improves the process of addressing these.

However, in matters of sexual violence, the DRC as in many other countries is guilty of persistent impunity. There are frequent cases of military officers who are accused and tried for their involvement in sexual violence but who have never been convicted for their crimes. On the

contrary, some of them have even been promoted in their ranks. For reasons of peace, rebel leaders who have currently joined the government have been granted amnesty.

In addition to domestic and sexual violence, in rural areas certain harmful cultural practices continue to prevail. These include forced and/or early marriages, wife inheritance, and the dispossession of widows who are deprived from the right to inheritance among others.

All these violations impact not only on women's lives and dignity but also on their mobility and freedoms. The reality of gender-based violence has in fact been a key issue around which women and women's groups have organised themselves initially.

5.2 Sexual and reproductive rights

Women's sexual rights are acknowledged, in legal texts and international conventions that the DRC has signed onto and ratified.

These legal texts condemn the lack of consent for sexual intercourse and propose strict punishment for perpetrators of rape. In the same vein, the new law on sexual violence has brought some changes to previous texts including the age for the sexual consent, which has gone up from 14 to 18 years. But, issues such as marital rape, abortion, homosexuality and sex work are not addressed in the legislation. When reference is made to any of these issues, it is generally addressed implicitly. This is the case with homosexuality, which is incorporated in the new law on the protection of children as a restrictive cause to the right to adoption.

As far as sex work is concerned, it has a very ambiguous status. While sex trafficking is clearly criminalized in the law on sexual violence and the Code of Criminal Law, sex work as a personal choice, is not even mentioned in the Congolese Penal Code.

► Abortion

In the DRC, the enjoyment of reproductive rights is limited to the area of birth control. Abortion is criminalised by the Congolese penal code. The same penal code also criminalized contraception but it is implicitly accepted in practice by the existence of National Births Control Program. Parents (father, mother), the doctor or any other person who practice or encourages abortion are severely punished in the Congolese Code of Criminal Laws. Only therapeutic abortion is tolerated when the mother's life is in danger. Even pregnancies resulting from rape do not allow for abortion.

There are no reliable statistics on abortion in DR Congo. The different baseline studies on Congolese women's health, in particular, the social and demographic study (EDS 2007) and the cluster survey by MICS (MICS 2010) make no reference to abortion.

In terms of abortion, in 2007, after the adoption of the Protocol to the African Charter on Human and Peoples' Rights on the rights of women, the Democratic Republic of Congo was among the twenty-four countries that had not ratified the text as they expressed some reservations about

the legalisation of the abortion. This was backed by a movement led mostly by organisations close to the Catholic Church, who based their advocacy on the fact that the DRC has to commit itself to preserve life in all its forms and maintain the dignity of the human being.

In the meantime, it is important to note that criminalising abortion does not prevent its practice. Abortions are still common, especially in private clinics. Those who practice it in an environment where the woman's safety is guaranteed, belong to the wealthy layers of the population. In the meantime, other members of the population generally risk complications that can lead to death. Moreover, abortions are also practiced in rural areas, where they are performed by traditional healers who use herbal medicines.

In opposing action backed by a church with a highly effective communications network due to its presence throughout the DRC territory, women have been urging for the ratification of this protocol, such as those gathered in the "Women's Action Network (RAF)". The work of this network of organisations involved in fight against violence against women resulted in the ratification of the Maputo Protocol by President Joseph Kabila in February, 2009.

► **Homosexuality**

Sexual intercourse between people of the same sex is not considered explicitly as a crime by the Congolese Code of Criminal Laws, though it is classified as an indecent assault. Lack of clarity in the text has therefore led to the non-sanction of homosexual relationships.

The Maputo Protocol includes provisions decriminalising sex between people of the same sex, in particular those between two women. But this issue which was considered a non-event was not subjected to a reservation.

It was not until October 13, 2010 when a parliamentarian, Hon. Ejiba Yamapia, bishop of an evangelical church, put forward in parliament a proposal for the adoption of a text explicitly criminalising sexual practices against nature, including homosexuality and necrophilia. The aim of the text is to cover the gaps in the criminal law. It also includes some provisions on the banning of organisations promoting the rights of individuals who are adopting discredited practices and circulation of information in any forms (audio, images and print) of related information.

This proposal, which was declared admissible on the 23rd of October 2010 at the parliament, is under consideration by the Socio-cultural Committee. A coalition of organisations involved in the fight against HIV and AIDS and those promoting communication rights has mobilised themselves to prevent it from being passed into law.

► **Access to reproductive health services**

Access to contraception is still technically for legally married couples as the state services on birth control are still subject to the requirement for women to get the consent of their husbands in the case of sterilisation or demands for contraception. There is no initiative to

take care of unmarried persons who wish to use this contraceptive method either to limit or control births. Within this context, access to family planning for homosexual couples, are non-existent as they are subject to stigmatisation and for all intents and purposes invisible to policy-makers.

In matters of sexual and reproductive health, there is a National Births Control Programme which is responsible for the policy and programme in relation to sexual and reproductive health. But, while contraception still comes within the provision of section 178 of the same Penal Code which punishes any act of a nature that prevent the conception, especially the sale, distribution, exhibition, popularisation of contraceptive methods; this article which is a result of the Presidential Ordinance dated 14th February 1973, establishing the so-called National Births Control Programme, is in contradiction to the current National Health Reproduction Programme authorising the supply of these same means, prohibited by the Penal Code, to couples wishing to plan the births of their children.

Lack of access to contraceptives is also in the form of condoms. The prevalence rate of HIV and AIDS is 1.5%. This prevalence is higher in the east of the country as a result of war and displacement experienced by many people in this part of the country. This situation leads to risky behavior such as sex work and sexual abuse and rape of women in the camps, making them more vulnerable than those who are outside the conflict areas.

According to demographic and social research conducted in 2007, 68% of women think that it is normal, when their husband/partner has a sexually transmitted infection that a woman can refuse to have sex with him. A small proportion (54%) considers that it is appropriate in this case, for a woman to ask that they use a condom during sexual intercourse. The great majority of women aged 15 to 49 in the DRC have heard about AIDS (about 9 out of 10). But only 15% of young women aged 15-24 have a thorough knowledge of HIV prevention among those aged 15-19, only 33% are able to correctly identify all three means of mother to child transmission. (UNICEF, 2007).

This is therefore one of the Penal Code articles that should be on the list of articles to be reviewed.

Generally, in terms of reproductive health, women in the DRC are experiencing a lack of coverage of prenatal care needs and contraception. It exposes them to serious health problems.

According to the 2010 cluster survey (UNICEF, 2010), among women aged 15 – 49, with a live birth over the two years prior to the survey, 87% received prenatal care at least once provided by a qualified staff member and 44% received at least 4 times prenatal care provided by any caregiver. With regard to obstetric care, 74% of women received care from a physician, a Nurse, a midwife or auxiliary midwife at delivery and 75% gave birth in a health facility. Access to obstetric care shows some disparities between urban and rural areas to the detriment of rural areas. Only 18% of married women aged 15 – 49 are using contraceptive methods, and

needs not met in matters of contraception (either for spacing or limiting births) was 24%. The fertility rate among adolescents is high: 135 births per 1000 women aged 15 to 19.

Maternal mortality rate in Congo is also one of the highest in Africa because of this lack of access to appropriate care, lack of infrastructures and information on how to control birth but also the malnutrition issue. The maternal mortality rate is one of highest in Africa and in the world. Per 100,000 live births, 1,289 women die due to pregnancy or child delivery. This situation is caused by food insecurity which often leads to malnutrition and anemia (67% pregnant women and nursing mothers 53%). As far as fertility is concerned, a quarter of girls aged between 15 and 19 are already mothers.

6. MOVEMENT BUILDING

6.1 Contextualising Movement-building in DRC

"It is due to an arbitrary act by the government or other powers that women took part in the decision-making positions and not because they had the support and mandate of other women" Jeanine Ngungu, Secretary-General of Common Cause.

A movement is at the very least, an organised body of people pursuing a common policy agenda for change through collective action. (AWID, 2008). This definition given by Srilatha Batliwala, applies also to the women's movement. But in the case of the Democratic Republic of Congo, this common agenda is short-circuited by divergent interests of different groups of women but also by their allegiances. To understand this situation, we must start from the country's history and from there, the history of human rights organisations.

The Democratic Republic of Congo is a country emerging slowly from a long legacy of unchallenged power introduced by the late president Mobutu. This power has been characterised by taking away freedoms, including freedom of expression, and corruption that has left the population in a state of deep poverty and, in turn, created the elitism and the strengthening of the visible community identities in all aspects of society. The population caught in a vice-like grip had no other choice to survive but to become collaborators or clients of the authority or to cling to different identities.

The minimal leeway for the population in terms of human rights movements, were those approved and created by the head of state.

The women's movement, therefore, as it is known in the country remains very patriarchal. By arbitrary government decisions, women have participated in the decision-making circle in Mobutu years, became ministers, chairpersons of the board of part of the executive of the party-state, but still loyal to the Supreme Leader who put them in their decision-making positions. Therefore, some women created NGOs at the initiative of their husbands in order to support them in their electoral campaign thus distorting the apolitical nature which should normally be demonstrated by these

organisations, according to the law. Very often also, organisations put the welfare of a particular community first and not that of all the women even when the needs are the same.

There are still cases where men have control over the operations of so-called women's organisations. These men are in charge of daily management of associations and they write project proposals.

Therefore, in this situation, a women's movement as defined by a focus group participant **"a group of people that have the same vision to get from point A to point B"** is not yet imaginable in the DRC. Ethnic divisions, men's hidden manipulation in order to mobilise potential voters, the gap between intellectual women who are leading main and decision-making organisations and who live in Kinshasa the capital and the grassroots women who are not at the same social level with the intellectual ones; are some of the many problems that create a situation where Congolese women can't see themselves speak with one voice and share the same vision.

And when women are in positions of decision-making, it is not because other women have put them there. Aware of this, these women work for their personal development and to please the person who, in the name of "gender", has allowed them to be in those positions and who await other favours in return for their unconditional support.

What does it mean in the DRC?

"Women in the DRC have so many problems due to poverty and the discrimination they are subjected to for decades in the development programmes. Violence against women and armed conflict has just exacerbated this situation. Thus in the context of the DRC, the women's movement to reach this critical mass needs to make its voice heard, should be able to incorporate the concerns of all the women. Yet, those women found in areas other than those of conflict (agriculture, economic empowerment of women, education...), women working long term to change laws or to require its application still feel very marginalised."

In this context, movements are sectoral, according to the present needs of the moment.

The women's rights movement in Congo is still very nascent. Although some organisations worked to alleviate poverty among women for more than a decade, women continue to be completely marginalised and confined to limited gender roles. Women are grossly absent in household and local decision-making, living under the confines of culture as well as an authoritarian society.

6.2 Historical roots

We can find some traces of women's leadership in pre-colonial Congo. For historians who have studied the history of the Congo, women have always exercised leadership, but their leadership has not always been acknowledged. This lack of acknowledgement is partly due to

the changing status of Congolese women during its political history. Women's participation is evident from colonisation to post-independence, where women have been known to fund and support the separatist momentum of politicians including Patrice Emery Lumumba.

Later on, the arrival on the political scene of some educated women, mostly academics, from newly established universities of Congo are still at the mercy of public authority, hoping to present the country as a modern one in the fighting for women empowerment. In 1975, Mobutu brought together, in Kinshasa, women coming from all the provinces to discuss issues concerning women as a means to respond to the appeal by the United Nations decade of women starting from 1975. The women who take part in this process are truly pioneers in women's political participation.

It is within the church women's movement (Catholic, Protestant, Kimbanguist) that women begin to gather around their leaders. The economic crisis of the 1990's and five years after political instability in the eastern part of the country also led to a real visible women's leadership militating for the end of hostilities and peace restoration.

The Fourth United Nations World Conference on Women, held in Beijing in China in 1995, is the real catalyst for Congolese women. Back home, they organised themselves in networks around priority sectors identified by this big conference. In 1996, a national forum on human rights and women's leadership was convened in Kinshasa by the Ministry of Gender.

The platform named "Cause Commune [**Common Cause**]" was established. It gathered 7 networks and 23 organisations. Its primary objective was to promote women's rights, hence its struggle for representation in decision-making bodies.

"Cause Commune" is the product of several major women's networks which were already existing at that time (the National Union of Congolese Women, the Association of Women Jurists of Congo, the Women's Action Network, the Association of Women Lawyers of Congo), as well as some political women representing some armed groups who were declared persona non grata by the Kinshasa government. This clearly expressed will to gather all the women around the table, created some problems for the organisation several months after it was established as the Congolese government, at the time of the late President of the Republic, Mr. Laurent Kabila, accused this women's movement of collaboration and complicity with rebel groups.

In 2001, some women's platforms were established with clearly expressed objectives with regard to women's participation in the public sector. This is the case of Women's Caucus, created within the same framework of the Inter-Congolese Dialogue; a forum held in Addis Ababa, in Ethiopia, as from October 2001, later continued in Sun City, in South Africa. The Inter-Congolese Dialogue brought together delegates representing the Congolese government, the four major rebel groups, the political opposition and the civil society with the purpose to address the political aspect of the Lusaka Agreement, signed in 1999, instituting a cease-fire

which was not respected. The Politician Women's Caucus represented in the Inter-Congolese dialogue was working to develop a women's agenda around peace and democracy.

This caucus, which had to disappear after the Inter-Congolese Dialogue, felt the necessity to survive after the dialogue since the concerns that were at the origin of its creation was not met. In 2005, the "*Cadre Permanent de Concertation de la Femme Congolaise*" [Congolese Women's Permanent Consultation Framework] (CAFCO) was created and it also had as its objective the effective involvement and participation of Congolese women in the peace building and democratisation process in addition to promoting the participation, in synergy with women, in the economic, political, social and cultural sectors.

6.3 The face of the women's movement currently

"Some weaknesses remain, but let's not forget that women worked hard to make the situation in Congo known. Thanks to them, international attention is now turned to the DRC." Marie-Zaina Nyombo.

Attempts to create women's movements in the last decade have primarily focused on ensuring that the necessary consultations with women took place as part of the framework of the armed conflicts resolution. On the other hand, women have also recognized that there is a need to establish a critical mass to be able to speak in one voice on issues related to women.

It is in response to these issues that the Congolese women's movement, a strong and united movement that brings together more than 4,000 registered organisations in the country, can be established. In the meantime, it is the large scale networks, some of whom having up to 360 organisations, which were established around the major topics such as the sexual violence, the implementation of Resolution 1325 of the UN Security Council on women, peace and security, among others.

Whilst women are organising on a range of issues including sexual violence, the recognition of women's efforts and their inclusion in the conflict resolution process at all levels, women's political participation and efforts to ensure the implementation of the 30% quota acknowledged by the constitution, there is still a need to organise more proactively among those groups who are remain marginalised by existing organisations, for example sexual minorities.

6.4 Challenges to movement-building

But as in many other contexts, the need for clear, strategic leadership is needed to mobilise and organise some 4,000 organisations that exist all over the territory.

Like all movements, in the DRC the lack of resources poses a huge challenge to women's organising. The lack of state subsidies and the unfair competition from better equipped international organisations that are raising funds locally, often deprives local organisations of the opportunities and capacity to become more professional.

This movement will also have to communicate, equally with all the provinces, even with the ones which are left aside by donors since they have never experienced conflicts, but where women's issues remain the same as those of the most funded provinces and hence deserve to be taken into account.

7. WOMEN'S LEADERSHIP

"Women are in politics by domino effect, they are maintained in power not by other women supporting them but by their own efforts. Whereas politics should be the pinnacle of influence we have in the society..." Participant in a focus group of Kinshasa.

7.1 Women's political participation

The DRC is a signatory to the Convention on the Political Rights of Women adopted by the UN General Assembly in its resolution 640 (VII) of 20 December 1952 and entered into force in 1954. Once more here, the implementation was not effective. Inequalities and discrimination still exist for the participation of women in leadership and decision making processes. According to the results presented within the framework of the gender mainstreaming strategy in the DRC Development Policies and Programmes, it appears that in 2003 only 13.35% of women had access to decision making positions. Even when 72% of these women managers have a university degree, despite their qualification and experience, the majority of these women are junior executives. This is also the situation within the political parties where only 2% were founded and are chaired by womenⁱⁱ.

In 2009, despite the participation of women in the Inter-Congolese Dialogue as well as in other conferences that have resulted from that dialogue, their representation in the leadership positions has been very low. While the Constitution of the Republic, promulgated in 2005, provides for parity in all the public institutions; the women who took part in the drafting process of the law have been disadvantaged by its provision which mentions only a significant representation which is very ambiguous, according to the critics.

Beside the constitution, the electoral law which nevertheless provides, in its Article 13, for a joint representation on electoral lists, adds that non-compliance with the parity could not be a cause of inadmissibility of the list.

The move by the Women's Caucus to plead for zebra lists that included alternatively, on the electoral lists, the names of male and female candidates did not succeed. The first free, democratic and transparent elections that the DRC held in 2006 gave only 11% of the seats to women. Whilst the majority of the voters were women, they voted for men.

This disavowal of women by women is justified in a historical context of systematic exclusion of women from political life. Women candidates did not have access to the same financial

resources as their male colleagues. This has resulted in the fact that they could not measure up in a partisan system where the candidates have to buy the votes. In this regard, women could not even rely on women from the private sector who are totally uninterested in politics while male candidates had the support of their peers. That is why we could hear politicians using the term to vote tactically which means they were undertaking to change the situation in favour of those who have voted for them once elected.

Patriarchal norms related to women's place in decision-making is a key contributor to the situation.

7.2 Leadership and the women's movement

There is truly speaking, no women's movement in the DRC. Women have, several times, come together to defend their right to political participation and for the integration of gender related issues in the national policies and programmes. We could notice it in the Beijing Fourth Women's Conference during the time of the dramatic increase of sexual violence cases in the conflict areas and some efforts to resolve the crisis in the Eastern part of the country. But, these however laudable initiatives, which have helped to make some progress with regard to the women's status and cause, are still facing many problems to be sustained over time.

Some of the leadership challenges among Congolese women are external as well as internal.

- ▶ Power struggles: The fight for leadership among women's organisations which have been raised in the various interviews, as part of this research, the struggle for leadership positions that have seen women leave initiatives and establish similar organisations, causing duplication and unfocused efforts. Interestingly, some have called this a strength as the multitude of different organisations is likely to ensure that the diversity of Congolese women's needs are addressed.
- ▶ Lack of professionalism and focus in addressing and putting together the women's agenda. This is also as a result of the governance related challenges.
- ▶ The lack of experience and thus leadership to conduct research and analysis to show how different public policies impact on women's lives. As a result most efforts and initiatives have been primarily reactive and rely heavily on development partners for their feasibility studies and analysis. This has also meant that it lacks a longer term and strategic approach to advancing women's situation.
- ▶ The lack of infra-structure have made it difficult to communicate and form links across the different spectrums of the movement in particular facilitating and promoting leadership of grassroots communities.
- ▶ The non-inclusion of women's issues purposely ignored by the creators of social norms (churches, customs ...): we noted the delay of women's organisations with regard to the inclusion of disputed human rights such as the sexual rights of gay women, the struggle against violence and discrimination that sexual minorities are the subject to,... the

Congolese women's movement are, by the way, missing opportunities to change the status of these women and to claim some rights common to all women, especially the right to enjoy her body.

- ▶ Marginalisation within the movement. Whilst there are different women's movements: the one involved in the fight against sexual violence, the one involved in the acknowledgement of the women's efforts and their inclusion in the conflict resolution process at all levels, or again a women's political movement requesting for the implementation of the 30% quota acknowledged by the constitution, there is still a need to establish a movement of Congolese women; the one which will work proactively and will have to include those which are marginalized by existing organisations.

Among the external challenges are:

- ▶ A key external challenge is the resistance to including women's issues by churches and traditional power structures. This in particular impacts on women's leadership as different norms is an impediment for strengthening and increasing it.
- ▶ The lack of finances: The movement also has to communicate on an equal basis with all the provinces, even those which are put aside by the donors since they have never experienced any conflict but where women related issues are the same as those of the provinces that are most funded, and deserve, therefore, to be addressed.

CONCLUSION

"The Kivus are the only parts of the country where people still speak of the customary courts and that is due to wars and instability that persist here. This is what causes things to get out of control in these customary courts which nevertheless should be subjected to the positive law." Attorney Kulungu.

In moving forward there is a need to address strategically those issues that impact on the environment that tolerates the violations of women's human rights. This includes a range of strategies for budget allocations, legislative reforms, and of course the work focusing on social and cultural norms and values. Internally, women's movements in DRC need to come together to strengthen their own leadership and build on it and at the same time start addressing the internal battles that keep them entangled with one another instead of focusing their energies on the bigger project of social justice; i.e. safety, security, dignity and quality of life for women.



CHRONOLOGY OF POLITICAL EVENTS IN DR CONGO FROM MAY 1997 TO JULY 2005^{IV}

May 17, 1997 – The rebels of the Alliance of Democratic Forces for the Liberation of Congo (AFDL) led by Laurent-Désiré Kabila and supported by Rwanda and Uganda, took control of Kinshasa, the capital of Zaïre, on the 17th of May 1997, forcing the president Mobutu Sese Seko into exile.

May 28, 1997 – Laurent-Désiré Kabila proclaimed himself the president of Zaïre and renamed the country Democratic Republic of Congo (DRC). On August 3, 1998 Congolese Tutsi officers and Rwandese soldiers supported by Rwanda, former ally of AFDL, revolted against President Laurent-Désiré Kabila.

August 4, 1998 – The RD Congo accuses Rwanda of being behind the military rebellion of May.

August 8, 1998 – Laurent-Désiré Kabila meets Rwandan president Pasteur Bizimungu and other regional leaders at Victoria Falls, Zimbabwe, without reaching an agreement.

August 16, 1998 – The rebellion forms a political-military coalition, the Congolese Rally for Democracy (RCD) led by Ernest Wamba dia Wamba. Six countries entered the war on Congolese soil: Congolese rebels backed by Rwanda, Uganda and Burundi; LD Kabila supported by the Mayi-Mayi and Angola, Namibia, Zimbabwe (and Chad that quickly withdrew from the fights)

July 10, 1999 – A cease-fire was signed in Lusaka (Zambia) between the six countries involved in the war in the DRC: Democratic Republic of Congo, Angola, Namibia, Zimbabwe, Rwanda and Uganda. However, the cease-fire was never enforced. Fighting and massacres continue.

August 1999 – Clashes between Rwanda and Uganda who fought for control of Kisangani (Eastern Province), the hub of the diamond market.

November 30, 1999 – Resolution 1279 of the UN Security Council authorizes the creation of the UN mission in the Democratic Republic of Congo (MONUC)

February 24, 2000 – As per resolution 1291 of the Security Council, the UN approves the sending of 5,537 soldiers to enforce the cease-fire of July 10, 1999.

June 16, 2000 – UN resolution 1304 orders the withdrawal of all foreign troops from the Congolese territory but without setting a deadline.

January 16, 2001 – one of his bodyguards assassinates Laurent-Désiré Kabila in Kinshasa.

January 17, 2001 – Joseph Kabila was named head of state.

March 29, 2001 – MONUC deployed its first contingent in the east, rebels' territory, and April 4 in the government zone.

October 15, 2001 – Official opening of the inter-Congolese dialogue in Addis Ababa, Ethiopia. This forum brought together 80 delegates representing the Congolese government, rebels (MLC, RCD, and RCD-ML), the political opposition and the civil society. Its mission was to address the political aspects of the Lusaka agreement which cease-fire has not been observed since July 1999. But it was immediately interrupted and only resumed in February 2002.

February 25, 2002 – Opening of negotiations in Sun City (South Africa), under the mediation of Ketumile Masire. 300 delegates gathered to draft an agreement for a transition regime to be put in place before the elections. A partial agreement on power sharing is concluded. This agreement is not signed by the RCD-Goma and many radical opposition parties.

July 30, 2002 – Agreement between DRC and Rwanda is signed in Pretoria (South Africa). Rwandan president Paul Kagame agree to withdraw his 30,000 troops from the DR Congo in exchange for disarmament, gathering and repatriation ,by the Congolese government, of the extremist Hutu Rwandese rebels who fled to Congo (ex-Rwandan Armed Forces and Interahamwe militia responsible for the 1994 genocide)

September 6, 2002 – Agreement between the DRC and Uganda signed in Luanda (Angola) for the total withdrawal of Ugandan troops in the north-east territory.

October 5, 2002 – End of withdrawal of the troops from the Rwandan Patriotic Army (RPA)

October 30, 2002 – End of withdrawal of the troops from Angola, Namibia and Zimbabwe, allied to the Congolese government.

December 17, 2002 – Continuation of the Inter-Congolese Dialogue in Pretoria under the mediation of the UN and South Africa: The Lusaka cease-fire in July 1999 is supplemented by a comprehensive political agreement on power sharing during a transition period of two years between Joseph Kabila and four vice-presidents from the four components of the negotiations started since October 2001: the government, the two main rebel movements (MLC and RCD-Goma), unarmed opposition and civil society. General elections will take place after the transition period.

April 2, 2003 – Closing and signing of the “comprehensive and inclusive agreement” of the inter-Congolese dialogue in Sun City (South Africa)

April 4, 2003 – Promulgation of the interim constitution

April 7, 2003 – President Kabila is sworn in under the new constitution

April 15, 2003 – Implementation of the “Interim special administration of Ituri”

May 7, 2003 – End of withdrawal of Ugandan troops from Bunia. However, Uganda retains soldiers in other fighting pockets in Ituri.

May 30, 2003 – As per resolution 1484 adopted by the Security Council, the UN decided to create an emergency multinational force in Ituri to secure Bunia. The force is deployed by the European Union and placed under French commandment (numbers: 1850 soldiers from nine countries, mostly French) Code name: Artémis. The operation began June 6, 2003 and ended on 1 September 2003.

June 30, 2003 – Appointment of a transitional government in DR Congo as agreed in Pretoria on the 17th of December 2002. The head of state Joseph Kabila, assisted by four vice-presidents, lead the government. This government of national unity is representative of all the components of the inter-Congolese dialogue (government, MLC, RDC, civil society and political opposition) and its mandate is to prepare and organise free elections within two years.

July 17, 2003 – Sworn in of four vice-presidents, Abdoulaye Yerodia (government representative), Azarias Ruberwa (ex-rebellion movement supported by Rwanda), Jean-Pierre Bemba (ex-rebellion movement backed by Uganda) and Arthur Z'ahidi Ngoma (political opposition)

May 14, 2004 – Six of the seven armed groups operating in Ituri signed the "Deed of Commitment from Kinshasa" by pledging to disarm.

May 16, 2004 – The Congolese government appoints new governors and deputy governors for the eleven provinces. The restoration of state authority throughout the territory is a major component of the reconciliation process in the DRC.

May 26- June 9, 2004 – In the region of Bukavu, South Kivu, violent clashes broke out between the Armed Forces of DRC (FARDC) and two groups of dissident soldiers led by two rebel leaders, General Laurent Nkunda and Colonel Jules Mutebesi, from the Banyamulenge community. The dissidents got rid of the regular army from Bukavu on June 2.

June 3-4, 2004 – Protests and looting, killing 12 people took place in Kinshasa, Kisangani and in other areas of the DRC against the buildings of MONUC to protest against the seizure of Bukavu by dissident soldiers.

June 9, 2004 – The dissident troops left Bukavu under the pressure from MONUC and international mediators.

July 13, 2004 – The district administration of Ituri moved to Bunia to replace the temporary special administration set up in April 2003.

August 13, 2004 – In Burundi, in the refugee camp of Gatumba, near the border of the DR Congo; from their support base located in DRC, the Burundian Hutu rebels from the National Liberation Forces (FNL) slaughtered 159 Banyamulenge. The rally for Congolese Democracy (RCD, ex-rebellion movement) of Azarias Ruberwa suspended for ten days for their participation in the transitional institutions.

October 1, 2004 – The Security Council, in resolution 1565 (2004), increases manpower and strengthening of MONUC's mandate under Chapter VII of the UN Charter.

February 25, 2005 – A convoy of MONUC is attacked around Bunia, Ituri, by militiamen from the Front of Nationalists Integrationists, Lendu majority ethnic group (FNI), causing the death of nine Bangladeshi peacekeepers coming to protect a camp of 8,000 refugees who have been suffering the atrocities from rebels for several weeks. Humanitarian aid is suspended and the Congolese government sends more 3000 soldiers to Ituri.

March 29, 2005 – As per resolution 1592 of the Security Council, MONUC's mandate is extended until 1 October 2005.

March 30, 2005 – The Rwandese Hutu rebels from the Democratic Forces for the Liberation of Rwanda (FDLR), involved in the 1994 genocide and in the war that is ravaging the Kivu, where they sought refuge since 1994, announced their intention to cease the armed struggle against Rwandan Tutsi government.

April 18, 2005 – The arms embargo was extended to the whole territory of the DR Congo as per resolution 1596 of the Security Council. The embargo decided on the 28 July 2003 as per resolution 1493 of the Security Council was about weapons bound for the North and South Kivu.

May 16, 2005 – Formal adoption of the draft constitution of the 3rd Republic by the parliament.

May 2008: International Criminal Court (ICC) issued an international arrest warrant against Bosco Tanganda for alleged crimes against humanity and war crimes committed in the Eastern Province.

January 26, 2009: opening of the international criminal court of the trial of Thomas Lubanga Dyilo, leader and founder of the Union of Congolese Patriots (UPC), a militia group of Ituri. He is the first person to be tried by this court. He is accused of conscription, enlistment and use of children under 15 years old and making them actively participate in conflict.

November 24, 2009: beginning of the trial against Germain Katanga and Mathieu Ngudjolo Chui, two leaders of Congolese militias. The two men are accused of crimes against humanity and war crimes including sexual enslavement.