

## **Militias Seen as Main Perpetrators**

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The prevalence of armed groups in eastern Congo linked to upsurge in rape cases.

"We met soldiers," was Honorine Kavugho's simple description of how she became one of the countless thousands of women in the eastern Democratic Republic of Congo, DRC, who have been brutally raped.

Kavugho, a 33-year-old mother of eight, spoke in a voice choked with emotion and wiped away tears as she described how she was traveling to the town of Butembo in North Kivu province, along with some 30 people riding precariously atop a truck loaded with freight, when armed men ambushed the vehicle, killing most of its passengers.

"Soldiers were hiding in the bush and below a bridge. They stabbed me in my neck," she said. "They took us to their bunker and we spent four days there. A child of two years was killed. They took our clothes and money."

Kavugho had been carrying the equivalent of 2,500 US dollars to buy goods that she hoped to sell when she returned to Goma, the administrative centre of North Kivu.

She was raped repeatedly for four days by a group of soldiers led, ironically, by a female commander named Chantal.

Once the soldiers had tired of her, she was released. Kavugho says Chantal said she could "die at home".

Kavugho didn't die. But the reception she got at home was worse than death, she said.

"When I came home, my husband rejected me and my family rejected me," she said. "I didn't know if I was still alive.

"He said he would never share anything with me ever again. He called me the wife of a soldier, rebels, criminals."

Although the attack occurred in 2003, Kavugho has a constant reminder of the rape – the daughter she gave birth to afterwards. This daughter is the youngest of her children, all of whom have been raised on the streets.

To keep her family alive, Kavugho begs for handouts.

"Now they are starving," she said.

If the violence she survived was not enough, Kavugho has been diagnosed with HIV, leaving her in despair.

“All my life has been anger,” she said “My family has rejected me as if I killed a man. I tell my children that in life, there is no hope. You have to take care of yourself. You have to do the best you can.”

Most of the men committing acts of sexual violence are affiliated with the numerous armed militias in the region, say experts such as Devote Musafire, chief counselor with Hope in Action, an aid group in Goma funded by the church and Sweden.

Musafire explained that these paramilitaries are usually far from any controlling influences such as family and they behave “like animals”, in large part because they know they can get away with their crimes.

“There’s impunity,” said Musafire. “They know they can rape and nobody is going to stop them. Nothing will happen. They’re aware it is a crime, but they also know there is impunity.”

Sexual violence in this part of DRC has become so prevalent that it is now commonly committed by civilians as well as combatants, explained Francoise Kahindo, director of the Union for Life Against HIV, UNIVI. Her organisation works with women like Kavugho who have contracted the HIV virus as a result of rape.

“Some are raped by soldiers, and others by civilians,” said Kahindo, noting that militia violence had led to a general epidemic of violence in society as a whole.

At the same time, she said, “the first problem is the presence of so many armed groups. They arrest you and rape you. The problem is war”.

A peace deal signed in January by more than 20 warring factions in the region has done little to curb sexual violence, said Kahindo.

“It changed nothing. The number of fighters diminished, but the troops are still in position. So when people have to go out for food or trade, that’s when they’re raped,” she explained. “Now it has extended to the rest of the community.”

She noted that dangerous and erroneous beliefs helped spread the disease, saying, “Some [men] think that if they have HIV, and have sex with a young girl of two or three, they can be cured.”

Often, she said, cases of sexual violence are the result of social interaction, “Many young girls befriend soldiers, due to poverty. This contributes to HIV spread.”

Such women are confronted with multiple problems, according to Kahindo.

“They suffer two times. The first shock is the act itself. The act of rape. It touches all women, from the

young up to [those in their] sixties. The second shock is being a victim of HIV. Some are mutilated.”

The resulting social stigma is hard to escape, she added.

“People ignore the facts,” she said. “They only see a woman who’s been raped. There is a cultural problem. Once a woman has had sex with someone who is not her husband, she cannot be married any more. We try to explain that they are victims and life should continue. It’s a part of healing.”

As a result, she said, “most cases of raped women don’t admit it. They keep silent”.

Pastor Clement Lembire, of the New Song Church in Goma, acknowledged that the rape problem was out of control in eastern DRC.

“The problem is complex here. There are so many factors,” he said.

Lembire said that some 15 years ago, rape was not a problem, explaining, “It’s a new phenomenon here because of repeated wars.”

He noted that rape is now committed openly and with impunity.

“We’ve learned that one community can humiliate another community. Some are taken to prison, but it changes nothing,” he said.

“Armed men rape your wife and mother and it’s done publicly. How can you sit and eat with these people? The family unit is gone. Even yourself. You are dead.”

Turning the tide will be difficult, but some progress is slowly being made.

Christine Mpinda, a lawyer with Dynamic Women Jurists, a legal aid group in Goma, said recent changes to the DRC’s rape laws have helped. The legislation has been expanded to include forced prostitution, sexual mutilation, forced marriage, sexual harassment and slavery, HIV transmission and forced pregnancy.

Victims are now required to contact police within two days after the crime is committed, and a prosecutor must process complaints and reports within one month, she said. Cases must go to court within three months.

The victims have a right to see doctors and psychologists, and a doctor must certify that rape has occurred.

Once the case reaches trial, victims can appear either in a public courtroom or in a closed trial chamber.

Another important change is that soldiers can now be arrested without the permission of their unit commanders. In the past, commanders blocked the arrest of their soldiers, a situation that guaranteed impunity.

“It is true the law exists, but it’s true everything doesn’t go well,” said Mpinda.

Noting that “many rapes go unreported”, she explained that victims generally live in remote areas and are unable to afford legal costs, which is why her group and others provide free legal services.

“The distances do not enable victims to have access to legal help,” she said. “Most of the cases can’t pay to travel from village to town.”

Mpinda’s organisation works on several cases a month, each of which costs between 500 and 1,000 dollars to prosecute. Once the case gets to court, problems persist.

“There is a misunderstanding about sexual violence among people, as well as judges, that it is not a serious problem,” she said.

Of the 20 cases that the group handled last year, 12 defendants received sentences of five to 20 years in prison, she said. Eight are awaiting sentencing.

Despite the changes, many are still critical of the law and look to the international community for help.

“People are disgusted with the law,” said Kahindo. “Once someone has been a victim and goes to court, she’s asked to pay money each time they go to court. They get tired of it and don’t go.

“Most women who are raped in a village don’t have access to healthcare and are without roads or access to the outside world.”

Kahindo complained that too little had been done to bring the armed groups to heel.

“If they’re in the bush, they’re committing crimes,” she said. “How can the international community not take them out of the bush? I can’t believe the international community can’t neutralise them. When there is peace, all this will end.”

Peter Eichstaedt is IWPR’s Africa Editor.

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