

*“One day a boy tried to escape. He was captured and we [the children] were told to kill him by hitting him on the head with sticks until he died.”<sup>1</sup>”*

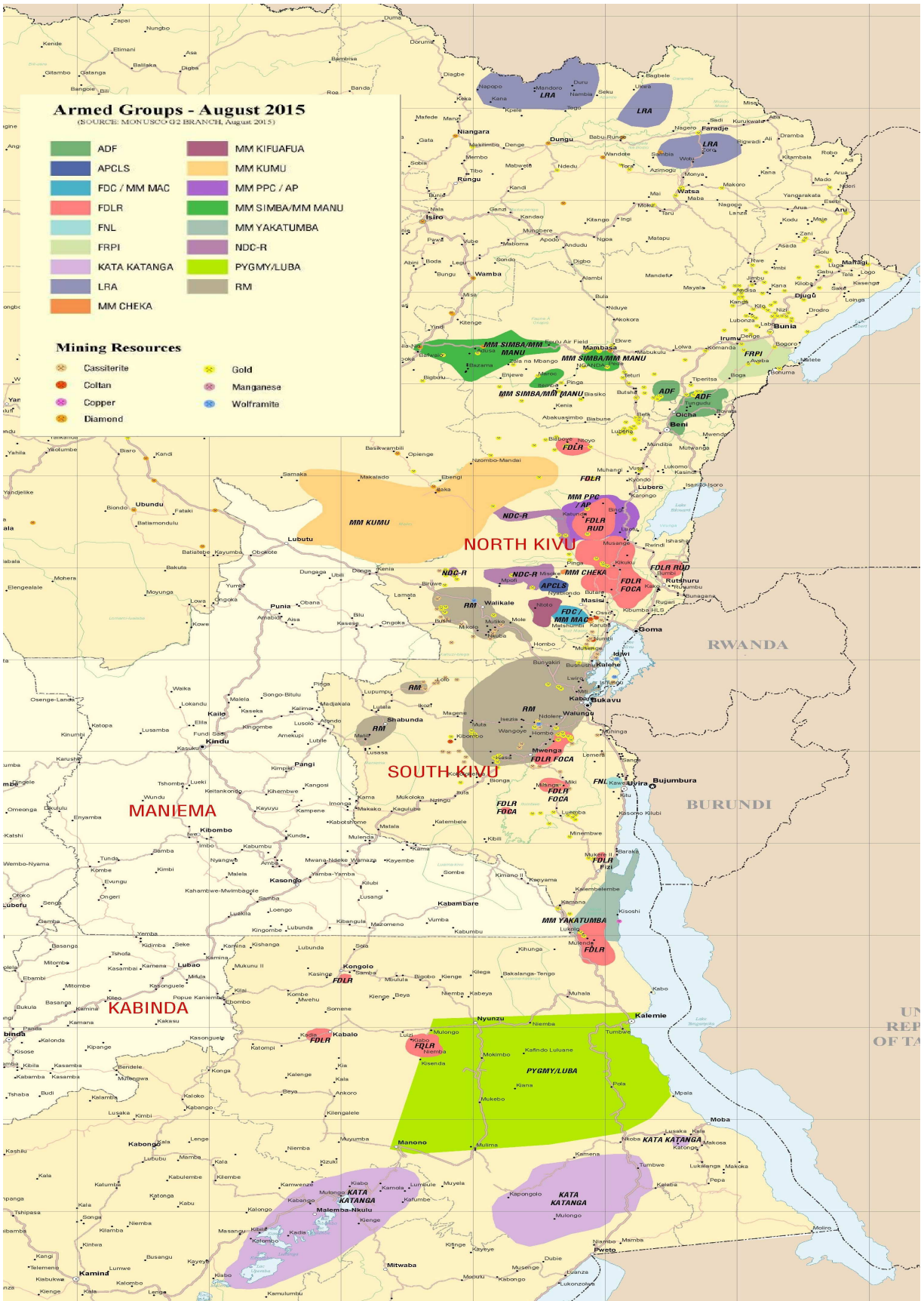
<sup>1</sup>Testimony from a 12-year old girl formerly associated with an armed group

## **INVISIBLE SURVIVORS**

### **Girls in Armed Groups in the Democratic Republic of Congo From 2009 to 2015**



©Richard Mosse, 2012



## FOREWORD BY DAVID GRESSLY

Since the beginning of the DPKO mission in the Democratic Republic of Congo (DRC), more than fifteen years ago, our Human Rights and Child Protection components with their partners have monitored violations against children by parties to the conflict. During that period MONUC/MONUSCO documented almost 40,000 violations against children in the context of the armed conflict in the DRC, including the recruitment of more than 31,000 boys and girls by armed groups and forces. Girls are particularly vulnerable to sexual exploitation and abuse by rebel fighters in addition to the hardships, pain and despair experienced by both boys and girls associated with armed groups.

Since the adoption of the Child Protection Law in 2009 that criminalises child recruitment, **7,646** children, including **600** girls were documented as recruited by armed groups in the DRC. Almost half of them were under the age of 15 when they were recruited. These are the harrowing statistics collected in our database between 1 January 2009 and May 2015.

Behind every statistic there is a tragedy.

From the girl who was removed from her family, who was not able to play and go to school, receive medical or social assistance for five years of her childhood, to the girl who was raped repeatedly in the bush and saw her baby die due to poor care while being in a rebel group that was always on the move. All of the children associated with armed groups witness, and are sometimes forced to commit, atrocities.

Behind every child whose rights have been violated, there is a perpetrator.

Not all 7,646 boys and girls recruited by armed groups in the past five years will receive justice for the crimes committed against them. We have to face that fact. The Government has expressed its engagement to enforce the Child Protection Law by issuing seven arrest warrants against individuals allegedly responsible for the recruitment and use of children, of which five are currently in detention.

It's an encouraging start. But it's not enough.

**Prevention** remains the most important activity that child protection actors and their partners should engage in to stop child recruitment in DRC for good. Through awareness-raising at all levels of society all across the country; through mass media campaigns and advocacy with national authorities and also through communities, traditional chiefs, religious leaders, families, teachers and of course, through participation of children themselves.

Dialogue with the women and men who take up arms and use children as combatants and in combat support roles must also be a priority. Everybody in the DRC can play a role in prevention.

Together, we can stop child recruitment in the DRC.

David Gressly

Deputy Special Representative of the UN Secretary-General for Democratic Republic of Congo  
25 November 2015

## LIST OF ACRONYMS

|           |   |
|-----------|---|
| ADF/NALU  | Allied Democratic Forces/National Army for the Liberation of Uganda                       |
| AFDL      | Alliance of Democratic Forces for the Liberation of Congo                                 |
| APCLS     | Alliance des Patriotes pour un Congo Libre et Souverain                                   |
| CNDP      | Congrès national pour la défense du peuple  |
| DRC       | Democratic Republic of the Congo  |
| FARDC     | Forces armées de la République démocratique du Congo                                      |
| FDC       | Forces démocratiques du Congo   |
| FDLR      | Forces démocratiques de libération du Rwanda  |
| FDLR FOCA | FDLR - Forces combattantes abacunguzi   |
| FDLR RUD  | FDLR - Rassemblement uni pour la démocratie   |
| FRPI      | Front de résistance patriotique d'Ituri   |
| GoDRC     | Government of DRC   |
| ICC       | International Criminal Court  |
| LRA       | Lord's Resistance Army (Uganda);  |
| M23       | Mouvement du 23 mars  |
| MONUSCO   | United Nations Organization Stabilization Mission in the Democratic Republic of the Congo |
| NDC/Sheka | Nduma défense du Congo/Sheka  |
| NGO       | Non Gouvernemental Organisation   |
| PARECO    | Patriotes résistants Congolais  |
| PRM       | Patriotes résistants Mayi Mayi  |
| RCD       | Rally for Congolese Democracy   |
| SMSG      | Special Representative of the Secretary-General   |

## DEFINITIONS

**CHILD:** any person below 18 years of age.

**CHILD ASSOCIATED WITH AN ARMED FORCE OR ARMED GROUP:** any person below 18 years of age who is or who has been recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls, used as fighters, cooks, porters, messengers, spies or for sexual purposes. It does not only refer to a child who is taking or has taken a direct part in hostilities.<sup>2</sup>

**SEXUAL VIOLENCE:** any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work<sup>3</sup>

**RAPE:** perpetrator invaded the body of a person by conduct resulting in penetration, however slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body. The invasion was committed by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or another person, or by taking advantage of a coercive environment, or the invasion was committed against a person incapable of giving genuine consent.<sup>4</sup>

**SEXUAL SLAVERY:** perpetrator exercised any or all of the powers attaching to the right of ownership over one or more persons, such as by purchasing, selling, lending or bartering such a person or persons, or by imposing on them a similar deprivation of liberty. The perpetrator caused such person or persons to engage in one or more acts of a sexual nature.<sup>5</sup>

**FORCED AND EARLY MARRIAGE:** often used interchangeably with “child marriage” and refers to marriages involving a person aged below 18 in countries where the age of majority is attained earlier or upon marriage. Early marriage can also refer to marriages where both spouses are 18 or older but other factors make them unready to consent to marriage, such as their level of physical, emotional, sexual and psychosocial development, or a lack of information regarding the person’s life options. A forced marriage is any marriage which occurs without the full and free consent of one or both of the parties and/or where one or both of the parties is/are unable to end or leave the marriage, including as a result of duress or intense social or family pressure.<sup>6</sup>

**SEXUAL EXPLOITATION:** Sexual exploitation is the sexual abuse of children and youth through the exchange of sex or sexual acts for drugs, food, shelter, protection, other basics of life, and/or money. Sexual exploitation includes involving children and youth in creating pornography and sexually explicit websites.<sup>7</sup>

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<sup>2</sup> The Paris Principles on children associated with armed forces or armed groups, February 2007.

<sup>3</sup> Definition provided by the World Health Organisation (WHO) in its World Report on Violence and Health, 2002.

<sup>4</sup> Definition provided by the International Criminal Court in its Official Journal, Elements of Crimes ICC-ASP/1/3(part II-B), p. 8.

<sup>5</sup> Definition provided by the International Criminal Court in its Official Journal, Elements of Crimes ICC-ASP/1/3(part II-B), p. 8.

<sup>6</sup> Rangita de Silva de Alwis, “Child marriage and the law”, Legislative Reform Initiative Paper Series (UNICEF, New York, January 2008), p. 37.

<sup>7</sup> Definition provided by UNICEF website.

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## EXECUTIVE SUMMARY

The present report is the second of its kind published by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) on children associated with armed groups and provides an overview of the patterns of recruitment and use of girls by armed groups.<sup>8</sup> The main findings are as follows:

- Between January 2009 and May 2015, MONUSCO interviewed 7,946 children who had been recruited by armed groups in the DRC, including 600 girls (8%).
- At least 56% of girls were under the age of 15 when they were recruited.
- Most of the girls documented as formerly associated with armed groups (63%) stated that they were recruited by force. A quarter of the girls interviewed reportedly joined an armed group because they were put under pressure by peers, families or community members.
- 14% of girls recruited and used by armed groups were used as combatants or armed escorts to commanders. The majority were used as cooks, domestics and porters.
- Of the 600 girls interviewed almost half reported they had been subjected to sexual violence including rape, forced marriage and sexual slavery while associated with the armed group.
- There is abundant evidence that large numbers of girls are recruited and used by armed groups in the DRC but that most of them continue to be ‘invisible’.
- It is difficult for girls to escape, especially when they are pregnant or have children. Some girls feel compelled to remain with the armed group to avoid the social stigma attached to their association with rebels when they return to their communities and thus do not benefit from reintegration programmes.
- Armed group commanders hide girls during surrender and reintegration processes.
- The girls interviewed spent between a few days to almost four years with the armed group, with an average of 182 days (6 months).
- Armed groups in the DRC who have systematically recruited and used girls are: LRA, Mayi Mayi Simba, Nyatura, Rayia Mutomboki, FDLR, APCLS, FPC/AP, Mayi Mayi Yakutumba, Mayi Mayi Kata Katanga, NDC/Cheka and FRPI.

### **Recommendations to the Government and its national and international partners:**

- Ensure perpetrators of child recruitment and use are brought to justice.
- Develop strategies to encourage girls to leave the armed groups that recruited them to enable them to benefit from reintegration programmes.
- Focus on prevention of child recruitment and use, including girls, by armed groups.
- Ensure reintegration programmes for children formerly associated with armed groups are accessible, appropriate and sustainable and take into account the special needs of girls.
- Raise awareness to prevent child marriage.

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<sup>8</sup>The first report ‘Patterns of Child Recruitment by FDLR, Nyatura and M23’ was published on 24 October 2013.



## **1. MONUSCO MANDATE ON CHILD PROTECTION**

MONUSCO was established on 1 July 2010, succeeding MONUC.<sup>9</sup> MONUSCO was authorized to use all necessary means to carry out its mandate relating to the protection of civilians, humanitarian personnel and human rights defenders under imminent threat of physical violence and to support the Government of the DRC in its stabilization and peace consolidation efforts. The mandate of MONUSCO on Protection of Civilians was further detailed in Security Council Resolutions 2053 (2012), 2098 (2013) and 2133 (2015). MONUSCO has specific obligations regarding the protection of children that go beyond the MONUSCO mandate on protection of civilians and are governed by Security Council Resolutions on Children and Armed Conflict (CAAC).<sup>10</sup> MONUSCO's Child Protection Section consisting of 33 staff focuses on monitoring and reporting on the situation of children in armed conflict, specifically on six grave child rights violations<sup>11</sup> perpetrated by parties to the conflict to enhance prevention, advocacy and accountability. The child protection mandate also includes engagement in dialogue with parties to the conflict to end the recruitment and use of children<sup>12</sup> and to combat impunity for perpetrators of grave child rights violations.

## **2. METHODOLOGY**

Information contained in this report was gathered through the MONUSCO Child Protection Section's systematic monitoring activities in DRC between 1 January 2009 and 30 May 2015, including investigative missions, meetings with national civil and military authorities and representatives of civil society organizations. The information contained in this report only reflects the cases verified and documented by MONUSCO in the context of constraints related to security and accessibility to victims. Thus the present report does not intend to present a comprehensive examination of the recruitment of girls by all parties to the conflict in DRC.

MONUSCO staff conducted interviews with victims of, and witnesses to, the grave child rights violations described in the report. All information contained in the report was collected through primary sources (victims, eye witnesses, perpetrators) and substantiated through other secondary sources (relatives, local child protection actors, peacekeeping staff) and/or other type of evidence (UN reports, weapons and ammunition brought by the victims, body scars and wounds and

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<sup>9</sup> MONUC was established in 1999 under the auspices of the UN Department of Peacekeeping Operations (DPKO)

<sup>10</sup> UN Security Council Resolutions on Children and Armed Conflict 1261 (1999), 1314 (2000), 1379 (2001), 1460 (2003), 1539 (2004), 1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012), 2143 (2014) and 2225 (2015); UN Security Council Resolutions on MONUSCO mandate 2053 (2012) and 2098 (2013).

<sup>11</sup> The six grave child rights violations identified by the UN Security Council are: killing and maiming, recruitment and use, sexual violence, abduction, attacks against schools and hospitals and denial of humanitarian access. Violations are committed against children by parties to the conflict, in the context of the armed conflict.

<sup>12</sup> On 4 October 2012 the UN/GoDRC Action Plan to stop and prevent underage recruitment, sexual violence and other grave child rights violations by Congolese security forces was signed by MONUSCO SRSG and the Prime Minister, and co-signed by UNICEF and the Vice Prime Minister, Minister of Defence.



reports of independent human rights bodies) before being assessed as credible and accurate by trained and reliable monitors. During the interview process, the fundamental principles relating to the best interest of the child were given utmost consideration. The majority of the interviews were conducted in the presence of national child protection partners funded by UNICEF to provide services to children formerly associated with armed groups and forces. Measures were taken to ensure the highest ethical standards, including the appropriate approach depending on age, gender, cultural sensitivity, the victim's state of mind and the interview setting. Children providing information on violations they experienced or witnessed were always informed of the intent and purpose of the interview especially in relation to analysis and advocacy to end violation, while ensuring that personal data would not be disclosed to third parties.

The data used for this report comes from the MONUSCO database on grave child rights violations created in 2006 in the framework of the Monitoring and Reporting Mechanism (MRM)<sup>13</sup> by MONUSCO staff and its child protection partners between 1 January 2009 and 30 May 2015. The reason for choosing this particular reporting period is the adoption of the Child Protection Law<sup>14</sup> of 9 January 2009 that stipulates the prohibition of child recruitment under DRC Law and states that any individual who recruits a boy or girl (under the age of 18) can face up to 20 years in prison. Information gathered comes predominantly from interviews held with children when they were separated from armed groups.



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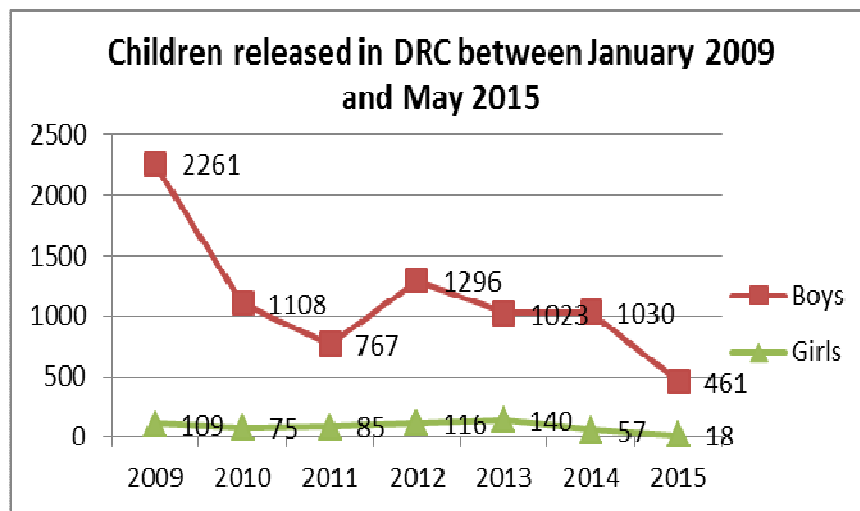
<sup>13</sup> Security Council Resolution 1612 (2005) requests the establishment of a Monitoring and Reporting Mechanism on the six grave child rights violations committed by parties to the conflict in the context of the armed conflict. The 6 violations are: recruitment and use, killing and maiming, sexual violence, abductions, attacks against schools and hospitals and denial of humanitarian access.

<sup>14</sup> Loi portant protection de l'enfant, 9 January 2009.

### 3. SEPARATION OF CHILDREN FROM ARMED GROUPS

The statistics and case studies used in the report were gathered through interviews with girls and boys following their separation from armed groups between January 2009 and 30 May 2015. Separation and documentation of children happens in a variety of ways. Documentation most frequently occurs when armed group factions surrender to the authorities or to MONUSCO. Children are separated by MONUSCO child protection officers and/or child protection partners following joint screenings of surrendered elements conducted in FARDC assembly points or MONUSCO DDR centres. Another common occurrence is when children escape from the groups and report directly to a MONUSCO military base or a child protection NGO. Sometimes children escape on their own or in small groups and surrender to FARDC, after which they are handed over to MONUSCO and child protection partners. Some of these children are arrested and detained for periods ranging from a few days to several months and their cases documented upon their release.<sup>15</sup> Finally, children escape and go back to their communities of their own accord. A number of these boys and girls, but by no means all of them, are identified by national and international child protection partners and offered appropriate services; it is then that their cases can be verified and documented.

During the reporting period from 1 January 2009 to 30 May 2015, MONUSCO documented the separation of 7,946 children from armed groups in the Democratic republic of Congo (DRC), of which 600 (8%) were girls.



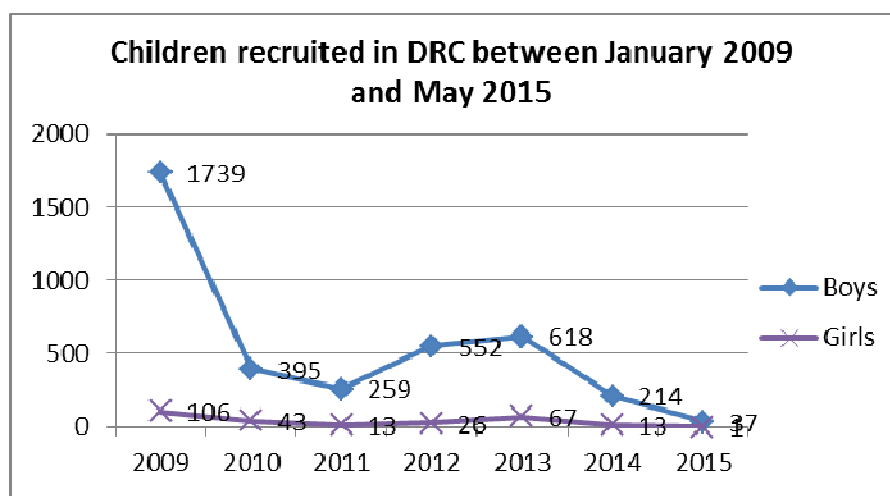
The first peak in release of children formerly associated with armed groups in 2009 is due to the separation by MONUSCO and child protection partners of more than 2,000 children from CNDP, APCLS, PARECO and other armed groups who had integrated into the FARDC

<sup>15</sup> It is of concern that children associated with armed groups are detained for long periods of time by FARDC intelligence services before being handed over to MONUSCO, which is in contravention of the Action Plan to Stop and Prevent Child Recruitment and Other Grave Child Rights Violations, signed on 4 October 2012.

following the fast track integration programme in North and South Kivu launched in January 2009.<sup>16</sup> The creation of the Mouvement du 23 mars (M23)<sup>17</sup> in May 2012 and consequent reinforcement of other armed groups and Mayi Mayi militia, who either fought against or alongside the M23, or who took advantage of FARDC redeployment to strengthen their influence, explains the increase in separation and documentation in 2012 and 2013<sup>18</sup>. Since mid-2014 an on-going trend of increased release of children from armed groups is occurring as a result of military operations during which large numbers of children take the opportunity to escape, in addition to the children separated after voluntary surrender of non-state actors to FARDC.<sup>19</sup>

#### 4. PATTERNS OF CHILD RECRUITMENT AND USE BY ARMED GROUPS

Of the 7,946 children formerly associated with armed groups documented by MONUSCO, 4,083 were recruited during the reporting period, the rest before 2009. The first peak in child recruitment by armed groups occurs in 2009 and corresponds to the fast track reintegration process described above, which led to mass recruitment by armed groups prior to their surrender, possibly because armed group commanders wished to inflate their figures. The creation of the M23 in May 2012 and consequent reinforcement of other armed groups and Mayi Mayi militia, who either fought against or alongside M23, or who took advantage of FARDC redeployment to strengthen their influence, explains the increase in documented cases of child recruitment in 2012 and 2013. Reports of mass recruitment campaigns by armed groups were received, particularly in North Kivu.



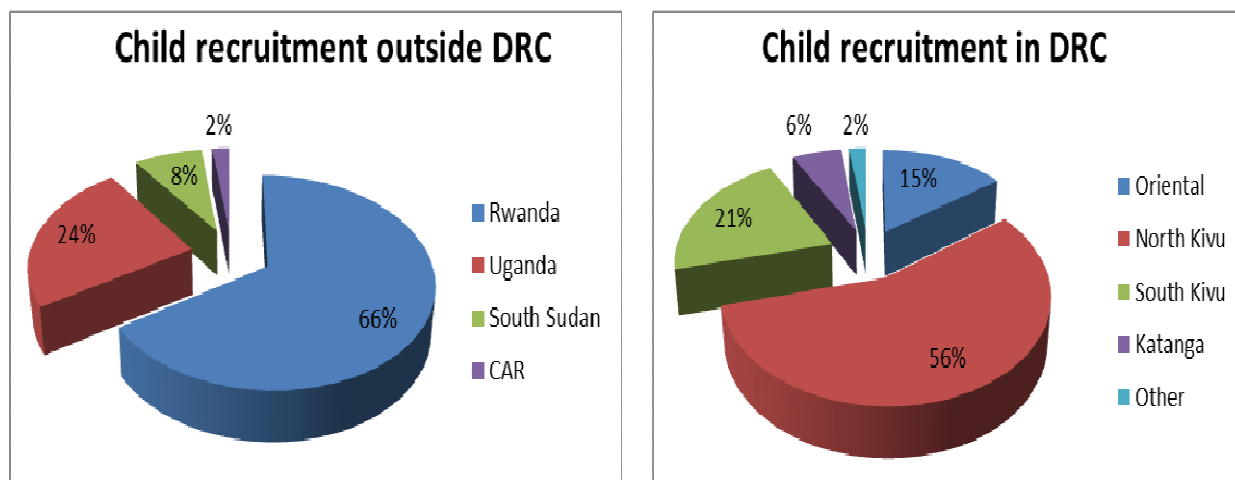
<sup>16</sup> A total of 12,074 armed group elements were integrated into the FARDC during the fast-track integration process in the Kivu's in 2012. Mayi Yakutumba, FRPI and PARECO who were originally part of the integration into FARDC retreated from the pacification process during the year.

<sup>17</sup> Mouvement du 23 Mars was created in May 2012 following the desertion of senior FARDC commanders who had formerly belonged to the armed group CNDP and had been integrated into FARDC in 2009.

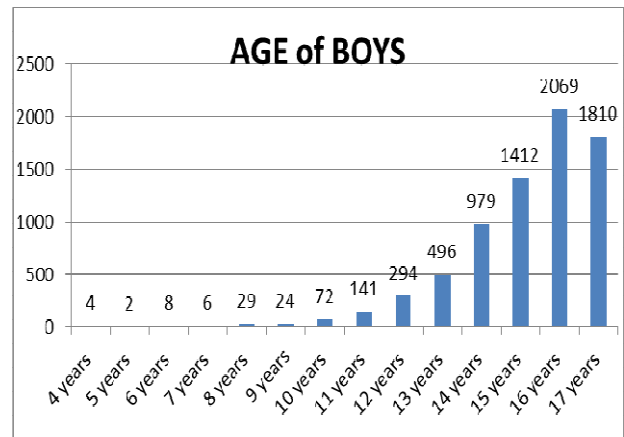
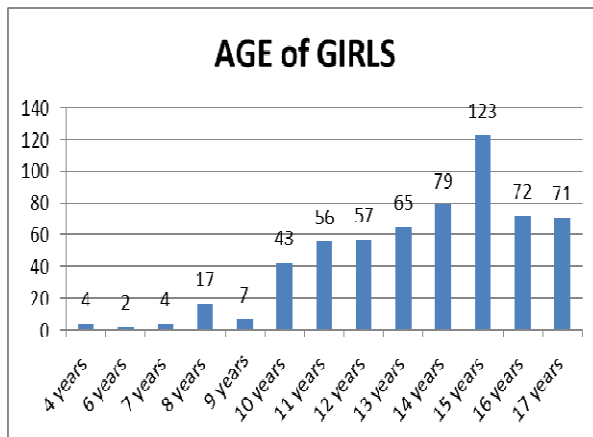
<sup>18</sup> The M23 was defeated by a joint FARDC/MONUSCO military operation in November 2013.

<sup>19</sup> In addition, more than 1,000 cases of children allegedly separated from armed groups by national child protection partners were not documented in the first semester of 2014, but excluded from our statistics.

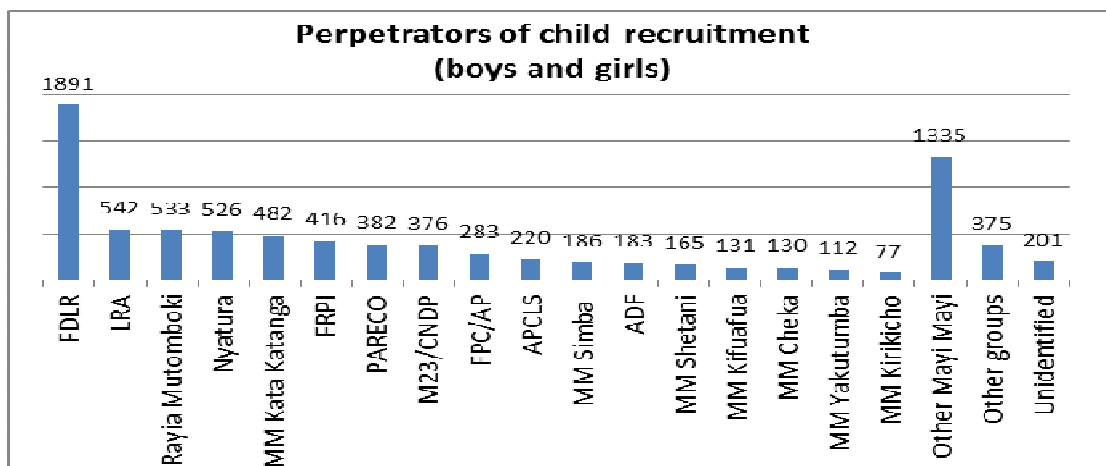
The vast majority of girls and boys separated from armed groups operating in the DRC were recruited within its borders (96%), with the remaining 4% recruited in Rwanda (77), Uganda (28), South Sudan (2) and Central African Republic (2). Two of the armed groups documented in this report (ADF and FDLR) are of foreign origin. The ADF was created by Jamil Mukulu in 1995 to overthrow the Ugandan Government, and settled in DRC when they were pushed out of Uganda by the national army. According to MONUSCO's documentation, 75% of the children formerly associated with ADF were Congolese and 25% Ugandan; the majority of the Congolese children belonged to the Nande tribe (75%) and were Muslim. The original FDLR consisted of former combatants responsible for the genocide in Rwanda in 1994, and Rwandan refugees. However, only 15 of the 1,891 children separated from FDLR stated they or their parents were Rwandan. The vast majority of children formerly associated with the FDLR are Congolese children who were abducted or who reportedly joined FDLR to protect the Hutu community. M23 also recruited children across borders, with at least 60 Rwandan children and nine Ugandan children separated from their ranks.



Children in North Kivu were most affected (55%) followed by South Kivu (21%), Oriental Province (15%) and Katanga (6%). The high number of children recruited in North Kivu can be explained by the persistent insecurity in large parts of North Kivu during the reporting period, with a peak in 2012-2013 when former elements of the *Congrès national pour la défense du peuple* (CNDP) integrated into the FARDC deserted to create the *Mouvement du 23 mars* (M23) insurgency.



The majority of children were aged between 15 and 18 at the time of recruitment. However, 37% of all cases of child recruitment constitute war crimes because the children were recruited when they were less than 15 years of age.<sup>20</sup> Statistics reveal that girls tend to be a younger than boys when first recruited by armed groups, with 56% under 15 years of age, and 20% aged 15 at recruitment. This may be partly due to earlier maturity of girls and the roles they play in the group, as will be explained in Chapter 7.



The FDLR is responsible for almost a quarter of all children documented during the five-year period. The graph also shows that Mayi Mayi groups recruited a total of at least 3,266 children during the period under review (41%).

<sup>20</sup> The Rome Statute of 2002 establishes the International Criminal Court in The Hague and stipulates the recruitment of children under the age of 15 as a war crime. See annex 1.

## 5. 'INVISIBLE' GIRLS IN ARMED GROUPS

Although there is abundant evidence that girls are recruited and used by armed groups in the DRC in very large numbers, most continue to be invisible. It is difficult to accurately evaluate the number of girls under the age of 18 in armed groups, but the estimate is between 30% to 40% of all children recruited, based on evidence from hundreds of witnesses interviewed during the reporting period, while only 8% were documented by MONUSCO and partners.<sup>21</sup> This under-reporting is due to a variety of reasons.

Effectively, Girls are frequently considered by armed group commanders as dependants, as their roles in the group as 'wives' or concubines is not considered by their recruiters as making them eligible for formal reintegration processes, which is where the majority of children are separated from armed groups and documented. For example, of the 1,004 children who escaped or were separated from the FDLR in the past five years, only 19 girls were documented, and only one of them was separated during formal screenings of FDLR factions who voluntarily surrendered to the authorities in 2014. All the young girls identified by MONUSCO and partners in the FARDC assembly camps were claimed by FDLR elements to be their daughters. However, many of the boys formerly associated with FDLR reported the presence of large numbers of girls in the group, used as wives/concubines, cooks and combatants. For example, a 16-year old boy reported the presence of ten girls in his group consisting of 150 FDLR elements.<sup>22</sup> A boy aged 11 who was abducted along with three of his friends and spent more than a year in the FDLR told MONUSCO:

*"I was used as cook and domestic. There were 16 of us in my group, with six adults, three boys and seven girls. Four of the girls were combatant's wives."*<sup>23</sup>

Of the 19 girls who escaped from FDLR ranks and presented themselves to MONUSCO or child protection partners, more than half stated that they had been 'wives' to combatants, while two stated they were daughters of adult combatants. A 14-year old Rwandan girl who started out as a dependant told MONUSCO:

*"My parents were with the FDLR. When they died in 2011, I was used as scout and to collect food. I was in a group of 42 combatants with five other girls and three boys... I was married to Captain [S.]."*<sup>24</sup>

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<sup>21</sup> In 2009 alone the percentage of girls released from armed groups was 7% of the total, compared to 8% in 2014, indicating a small improvement over the reporting period. GoDRC and child protection partners should devise strategies to reach a target of at least 15% by the end of 2016.

<sup>22</sup> B-000-90464

<sup>23</sup> B-000-83977

<sup>24</sup> 110212 - Name of the perpetrator and victims withheld for protection purposes.

Forty girls formerly associated with Nyatura were separated in November/December 2013 by MONUSCO and child protection partners. Approximately half of them stated that they were ‘spouses’ of combatants. Of the 496 boys formerly associated with Nyatura interviewed during the reporting period, dozens confirmed the presence of girls as wives/concubines and sex slaves to commanders. Remarkably, twenty boys also reported that there were no girls in Nyatura, indicating that the role played by girls during their association (mainly for sexual exploitation) was not understood as a violation of their rights. This denial can be explained by the nature of the group, essentially a self-defence militia or ‘Mayi Mayi’. A number of Mayi Mayi groups have a code of conduct prohibiting the presence of girls as combatants or becoming official member of the Mayi Mayi, even as cooks, porters and in other supporting roles, as it would allegedly weaken the combatants.

Only seven girls were documented by MONUSCO and its partners as having been associated with *Alliance des Patriotes pour un Congo Libre et Souverain* (APCLS) during the reporting period, out of a total of 178 children formerly associated with APCLS interviewed. Some boys formerly associated with APCLS declared that there were no girls in the group, but twenty of the boys interviewed reported the presence of at least 65 girls associated with APCLS who were ‘married’ to adult combatants, while others reported the use of girls as cooks and combatants. A 15 year old boy who spent more than a year in the APCLS as a combatant explained that he belonged to a group of 240 combatants with at least 20 girls under the age of 18. A 16 year old boy told MONUSCO:

*“There were 36 of us in the group with about fifteen children including five girls aged between 15 and 17 called [names the five girls]. They were used to prepare food and were separated from boys.”<sup>25</sup>*

Another important reason for under-reporting recruitment of girls into armed groups is that it is more difficult for girls to escape and reach a MONUSCO base or a child protection partner and report their captivity. From hundreds of testimonies of boys who escaped it becomes clear that their road to freedom frequently entailed great danger and could include days of walking and surviving on next to nothing in the bush. Fewer girls are willing or able to face the risks, particularly if they are pregnant or have children they do not want to leave behind. Fear of retaliatory action when caught is also a contributing factor. More than 400 children describe how they were severely beaten or locked up in underground cells by elements from their group when they had tried to escape. A 14 year old girl who voluntarily joined Nyatura in September 2012 tells of her ordeal:

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<sup>25</sup> B-000-9350



*“I tried to escape with two boys in February 2013. We were caught by Major [B.] and taken back to the camp. We were each beaten with a stick 30 times and we were locked in a cell under the ground. We escaped the day after and managed to reach MONUSCO.”*<sup>26</sup>

Girls often do not leave the armed group or their combatant ‘husband’ as a choice because of the social stigma attached to their association. Once a girl is identified as a rebel wife/concubine she reportedly no longer has any social value in her community and may not see being separated and reintegrated into her community as a suitable option for her. This is particularly the case if she is affected by a sexually transmitted diseases (STD), is pregnant or with children as a result of her relationships while associated. Boys may encounter the same problem of social stigma because of their association with an armed group, but not to the same degree, as the recruitment and use of girls so frequently involves sexual exploitation and abuse<sup>27</sup>.

Finally, some armed group commanders seem acutely aware they will be held accountable for acts of sexual violence, and reportedly hope to avoid arrest by concealing the fact that there are women and girls under their command. According to witness statements, NDC/Cheka purposely does not bring girls or women to surrender processes for this specific reason. During a screening process in December 2013 of former NDC/Cheka elements who surrendered to FARDC, Child Protection Officers advocated with the commanders and combatants to encourage girls to partake in the reintegration process, with no tangible results to date. Only two girls were among the 73 children documented by MONUSCO as associated with NDC/Cheka.



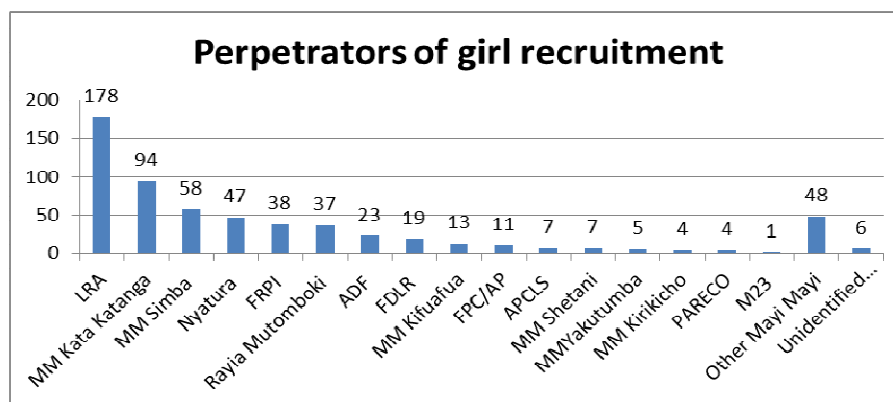
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<sup>26</sup> B-000-9352

<sup>27</sup> The 2013 Report by ECI and the Harvard Humanitarian Initiative: “We Came Back With Empty Hands” examines, inter alia, the challenges faced by girls formerly associated with armed groups when they return to their communities.

## 6. PATTERNS OF RECRUITMENT OF GIRLS INTO ARMED GROUPS

Girls spent between a few days to almost four years associated with their groups, with an average of 182 days (6 months). The table below illustrates perpetrators of recruitment of girls as documented by MONUSCO. As explained above, this does not necessarily reflect the reality due to constraints in documentation and the relatively small number of girls who escape from certain armed groups and/or report to MONUSCO, child protection partners or FARDC along with male combatants. Most information on the recruitment of girls and their experiences while associated with groups come from girls separated from LRA (178) in Oriental province, Mayi Mayi Kata Katanga (94) in Katanga province, Mayi Mayi Simba<sup>28</sup> (58) in Oriental province and North Kivu, Nyatura (47) in North and South Kivu, FRPI (38) in Oriental province, Rayia Mutomboki (37) in North Kivu and ADF (23) in North Kivu.



### 6.1.1 Forced Recruitment

During the interviews conducted with girls formerly associated with armed groups by MONUSCO between 2009 and 2015, 63% of girls stated they had been forcibly recruited, usually when they were abducted during attacks on their communities. For example, all of the 178 girls recruited by the LRA stated that they had been abducted during violent attacks on their homes when many also witnessed the killing of their family members. They were systematically used to carry heavy loads of pillaged goods following attacks against villages, care for babies, cook and perform other domestic tasks. A 14 year old girl abducted in 2010 recounts her experience:

<sup>28</sup> Mayi Mayi Simba was led by the late Morgan Sadala, and is also known as Mayi Mayi Morgan.

*“They killed my parents because they were trying to get help when they kidnapped us. With my sister and two brothers we were forced to carry heavy loads, walking every day. I was able to escape after a week when the FARDC attacked us.”<sup>29</sup>*

Information on recruitment of girls in the LRA is exceptional, due to the circumstances in which the cases were documented. Following a focus to eradicate and contain LRA activities by the international community in 2010, national and international child protection partners established an alert network in communities where children who had been abducted by the LRA had returned to, often of their own accord following their release or escape.<sup>30</sup> The children thus received appropriate assistance and their cases were fully documented. Almost half of the documented cases of child recruitment by LRA (48%) concern girls, which can be assumed to reflect the reality in patterns of recruitment by the armed group. Of particular concern is the fact that 68% of the girls abducted by LRA were under the age of 15 when abducted, which is a war crime.

Of the 185 children documented as recruited by Mayi Mayi Simba, 58 were girls, including two 10-year olds<sup>31</sup>. All of them had been abducted during brutal attacks on their villages, and were associated with the group for a few days to more than two years. Three of them (aged 14, 16 and 17) were pregnant at the time of abduction. A 16-year old girl describes how Mayi Mayi elements entered her house in Epulu village, Oriental province, in June 2012 and held her captive until she took the opportunity to escape during a clash with the FARDC and walk back home to her village:

*“I was sleeping at home when five men armed with guns, machetes and knives entered the house in the middle of the night. They forced me, six other girls and 38 women to carry sacks of merchandise they had stolen. We walked through the forest for five days and [B] forced me to have sex with him many times. When we were in the camp I was forced to work in the home of [B.]. I prepared food, cleaned and washed clothes. One day his wife stabbed me in the leg with a knife.”<sup>32</sup>*

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<sup>29</sup> B-000-7523

<sup>30</sup> These NGOs were predominantly funded by UNICEF and Invisible Children

<sup>31</sup> The majority of these cases were documented during special investigations conducted by MONUSCO following allegations of mass rapes and abductions by the group in different incidents that occurred in 2013 in Haut Uele District of Oriental province. It can be assumed that there are many cases unreported due to the absence of permanent UN staff in Haut Uele.

<sup>32</sup> 121619

Of the 15 girls interviewed by MONUSCO who had been associated with FRPI, only one 11-year old stated she was voluntarily recruited to spy on the FARDC. The remaining fourteen were all recruited by force, usually during FRPI attacks on their communities when they were abducted to carry looted goods. A 16 year old girl abducted by FRPI in June 2011 who managed to escape in May 2012 told MONUSCO:

*“I was on my way to the market when the militants came and forced me to go with them to carry their things. I was forced to be the wife of one of the combatants.”<sup>33</sup>*

Of the 37 girls recruited by Rayia Mutomboki elements between 2009 and 2015, 27 stated they had been abducted and subsequently raped and/or used as wives/concubines by combatants. A 17-year old boy associated with Rayia Mutomboki told MONUSCO that his particular group consisted of 45 elements, with three young girls (he names them) for use as sex slaves by combatants.<sup>34</sup>

A girl explained how she had been abducted by Nyatura elements when she was 17 years old, along with two women and their babies:

*“In the camp I was taught how to use weapons but I refused to be a combatant and so I prepared food.”<sup>35</sup>*

She was the only underage girl among hundreds of Nyatura elements who surrendered to FARDC in March 2013. She walked for three days, along with her adult ‘boyfriend’ and two women with babies, to reach the assembly point for the DDR process in North Kivu after allegedly having paid the commanders money. During the same screening, 226 boys were separated from Nyatura.

ADF has frequently abducted adults and children during attacks, and used them as human shields and hostages. Witnesses reported the abduction of 12 children in the night of 2/3 November 2001 when ADF looted a health clinic in Oicha:

*“After they attacked the clinic, we were forced to carry looted items. There were 12 children among us, including a baby with her mother. The ADF combatants used us to surround them while they were getting away, so that the FARDC would not dare to shoot.”<sup>36</sup>*

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<sup>33</sup> B-000-8669

<sup>34</sup> B-000-9830

<sup>35</sup> B-000-9587 – the boy also names the Rayia Mutomboki combatants who perpetrated the abuse against the girls.

<sup>36</sup> B-000-7447

A 12 year old victim tells of her experience:

*“I was with my father, my 3-year old brother and my ten-year old sister when we were abducted from [village]. A man called Major [F] killed my father when we arrived in Madina. We were forced to work on the farm.”<sup>37</sup>*

### **6.1.2 Recruitment under false pretences**

Some girls were lured into an armed group with promises of receiving an education, a job or money and found themselves trapped by the time they realised they had been misled. A Muslim couple in Goma reported that their daughters aged 15, 16 and 17 were recruited by members of the ADF support network with the promise of free education in August 2013 and have not been heard of since<sup>38</sup>. Twenty other adults in Goma reported the voluntary departure of whole families to Beni territory to join the ADF because they believed they were going towards a better future for their children. A 15 year old Ugandan girl told of how she was recruited by her brother, an ADF combatant, with the promise of education and a job in 2013. She spent more than a year in an ADF camp before her escape during the 2014 military operation ‘Sukola I’. She spoke of her experiences while associated with the ADF and her use for sex by one of Jamil Mukulu’s escorts. She explains how entering into the ADF worked for her and other ‘volunteers’:

*“When we arrived after our very long journey, four women were tasked to frisk us before we could enter into Madina Camp. After that, we were locked up for three days and ill-treated because they wanted to force us to be Muslims. We had no choice. I started learning the Koran and did a military training for two months.”<sup>39</sup>*

A 16 year old Rwandan boy was one of many children, boys and girls, lured into the M23 under false pretences; he explained to MONUSCO:

*“When I was in Kigali we were told by a man there was a lot of money to be earned in the Congo. My friends and I joined him – but instead of work we received military training in the bush, there were girls who were trained as well and we all, became combatants in the M23. We fought against the FARDC in Bunagana.”<sup>40</sup>*

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<sup>37</sup> B-000-72804

<sup>38</sup> 27469 – interview on 27 March 2014.

<sup>39</sup> B-000-90889

<sup>40</sup> B-001-0351

### 6.1.3 Other ways in which girls join armed groups

At least 150 girls interviewed stated they had joined an armed group without being forced or misled.. Girls decided to join armed groups for the same reasons as boys, namely self-protection, revenge or a sense of duty to contribute to the security of a community or to support a cause. A 17-year old girl explained how she left school in 2012 when she was 15 years old to join Mayi Mayi Kata Katanga because she was influenced by a recruitment campaign organised by elements from the group that Katanga province had to be separated from the rest of the DRC. She received military training and underwent initiation rites upon her recruitment<sup>41</sup>. Unlike the interviewed boys, many girls stated that they had joined a particular group to join their boyfriends, ‘husbands’ or other family members. For example, 72% of the girls formerly associated with Mayi Mayi Kata Katanga, told MONUSCO they had accompanied or followed a parent, husband or boyfriend to the bush. A 17-year old girl interviewed after she was separated from a Mayi Mayi Kata Katanga faction following an awareness raising campaign by the authorities in Katanga in September 2013 to encourage them to surrender said:

*“I was living in Camp Sowe with my husband who was a Mayi Mayi combatant, I had no choice and I had to follow him to the forest. I went through initiation rites to protect me from bullets in case of an attack by FARDC. I didn’t do anything in the group except take care of my husband.”<sup>42</sup>*

The specific nature of the Mayi Mayi Kata Katanga, who live in the bush with their families, means that hundreds of girls are permanently associated, most of them dependants, who perform domestic tasks for their families and face life-threatening risks when the group is attacked.

Analysis revealed that children are more likely to join an armed group ‘voluntarily’, though pressure from peers, family or traditional authorities when the groups are based in communities of a particular ethnic affiliation. For example, the majority (76%) of children associated with Mayi Mayi Kata Katanga were from the Luba ethnic group (75%), while children formerly associated with FRPI were almost all from the Ngwiti/Lendu tribes (95%). Children associated with Lafontaine were predominantly Nande and Hutu (80%). 58% of children documented in Mayi Mayi Yakutumba were Bembe. FDLR children were predominantly Hutu (68% of interviewed children).<sup>43</sup>

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<sup>41</sup> B-000-0547

<sup>42</sup> B-000-0543

<sup>43</sup> Some groups, like the M23, are mixed. A little over half of all children documented were Hutu (53%) followed by Tutsi 25%, and the rest were Nande, Hunde, or of unknown tribal affiliation such as the Ugandans. This lack of homogeneity can be explained by the fact that the vast majority of children formerly associated with the M23 were abducted while going about their normal duties in their respective villages.

A 17 year old girl who joined the FDLR and approached a MONUSCO base with her adult ‘husband’ and three-month old baby after a year of association explained:

*“I wanted to help protect my community from Mayi Mayi who were attacking Hutus. I was assigned on guard duty, with six boys between 13 and 17 years old. I became pregnant and after that I worked only at the headquarters<sup>44</sup> as a cook and receptionist.”<sup>45</sup>*

#### **6.1.4 Association with Mayi Mayi groups**

Of the almost 8,000 children documented, 41 %<sup>46</sup> had belonged to Mayi Mayi self-defence groups, or groups that started as Mayi Mayi (APCLS, Nyatura, NDC/Cheka, FDC/AP, PARECO and Rayia Mutomboki). Most of the children were initiated into the Mayi Mayi groups through rites, which could include washing with sacred water, drinking potions, scarification, the wearing of amulets and adhering to rules governing behaviour and the prohibition of eating certain kinds of food. A 14-year old girl told MONUSCO she joined Mayi Mayi Shetani to protect the community from imminent attacks by the M23, and served as escort to a commander:

*“I didn’t need any tattoos or amulets on my body. I drank a potion, which has the same effect. It protected me from bullets.”<sup>47</sup>*

Another girl (16) formerly associated with Mayi Mayi Shetani described some of the rituals and beliefs:

*“I was wearing an amulet that could make me disappear and confuse an enemy... Because I was carrying the fetish, I could not be married.”<sup>48</sup>*

Various Mayi Mayi groups recruit children from within their own community meaning the children preserve strong links both with the community and the armed group. Three of the boys formerly associated with Nyatura for example stated that they went to school in the mornings, and were part of the group performing a number of tasks, including extortion of civilians (‘tax’ collecting), going on looting sprees and/or performing domestic duties in the afternoon. Due to the small number of testimonies from girls formerly associated with Nyatura, it cannot be confirmed if the same applies to them.

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<sup>44</sup> ‘Etat Major’

<sup>45</sup> Ref : 90354

<sup>46</sup> 3,266 cases

<sup>47</sup> B-000-9247

<sup>48</sup> B-000-9248



A number of Mayi Mayi groups established as self-defence militia allegedly do not officially recruit girls. Their codes of conduct involving extensive protection rituals prevent the presence of girls and prohibit sex before a battle as it would reportedly disempower the combatants. However, as described above, there is ample evidence that Mayi Mayi combatants systematically exploit girls for sexual purposes such as the 14-year old girl who voluntarily joined the APCLS to escape her abusive stepmother in September 2012 explains:

*“I was working as a cook and house girl for Major [B.]. He had three wives. I needed soap to wash myself and he would only give it to me if I had sex with him. It happened three times.”*<sup>49</sup>

A 15 year old girl forcibly recruited by NDC/Cheka (formerly known as Mayi Mayi Cheka) elements described her experience:

*“I was coming home from the field in Fatua village where I worked when I was taken by an armed man and forced to be with Mayi Mayi Cheka. He used me for sex for ten months before I escaped and went to [NGO].”*<sup>50</sup>

Only three girls were among the 325 children separated from APCLS in a five year period, two of which reported they had been forcibly married to commanders. One of them (16) stated she had been used as cook and combatant, in a group consisting of 29 elements, including four girls.<sup>51</sup>

Some of the village self-defence groups or village Mayi Mayi created ad hoc to protect the population from attacks, use young virgins to carry out cleansing rituals in what they believe is sacred water before going into battle<sup>52</sup>. For instance, in a remote village in Moba territory attacked by Mayi Mayi Kata Katanga elements in February 2014, the village chief gathered the population and requested them to contribute to the protection of their village. Numerous parents volunteered their children as combatants (boys only) and twelve girls were identified to assist in concocting the fetishes and prepare the men for battle. Twelve girls described how they were used for this purpose, an example from a 13 year old girl:

*“We were tasked to wash the Mayi Mayi before they went to fight. I didn’t like it, because I was half naked and I was embarrassed because I had to wash my school teacher and I did not want him to see me like this.”*<sup>53</sup>

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<sup>49</sup> B-000-9352

<sup>50</sup> B-000-83153

<sup>51</sup> B-000-9213

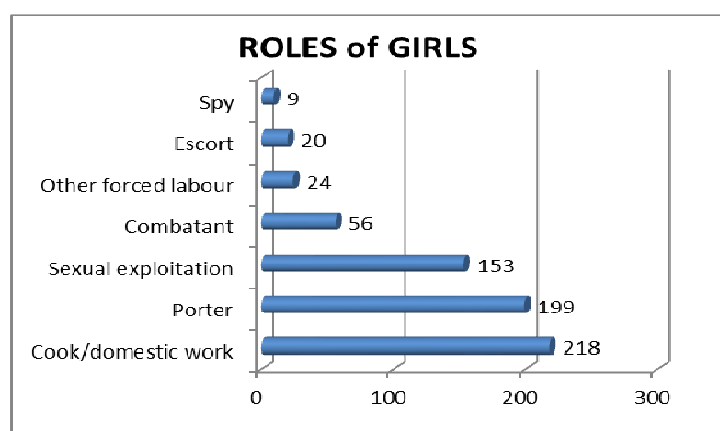
<sup>52</sup> More often than not, these villages Mayi Mayi groups dissipate when the threat is removed.

<sup>53</sup> Interview 19 September 2013

Although more than half of the girls interviewed stated they disliked their role as keepers of the fetishes, three of them stated they felt it was their duty to contribute to the protection of the village, and one girl (14 years old) stated she was proud to play a part in ensuring the men and boys were protected from bullets during fighting thanks to her. In this particular case, the hut containing the fetishes and where the girls were staying alone during the whole day and night in the forest was at least a kilometre from the village and exposed them to risk. In July 2013, four girls aged between 13 and 16 who were guarding fetishes for the village self-defence group in Moba territory, Katanga Province, were raped by four men armed with bows and arrows and spears identified as Mayi Mayi Kata Katanga elements.

## 7. ROLES OF GIRLS DURING ASSOCIATION WITH AN ARMED GROUP

More than a third of the girls interviewed (218) stated their main role in the armed group had been as cook and performing domestic tasks, such as taking care of children, collecting firewood and obtaining water for the combatants. This information was corroborated by hundreds of testimonies from boys interviewed by MONUSCO. The table below describes what the girls saw as their core daily activities during their association with the armed group, with the understanding that many performed other tasks as well. For example, a large number of the interviewed girls stated they had been cooks, but also the ‘wife’ of a combatant. Other girls performed one role during the day, and were used as sex slaves at night.



A third of the girls (199) served initially as porter of looted goods when abducted, and were subsequently used as combatant, cook, domestics, sex slave or taken as the or wife/ concubine of a combatant. ADF systematically used young girls, some as young as four years old, as forced labour to work their fields.

### 7.1.1 Girls as combatants

A significantly lower percentage of girls interviewed received military training or were used as combatants compared to boys. 56 girls (9%) stated that they were used as combatants, compared to 3,144 (42%) of boys. With an additional 2,140 boys stating they were armed escorts to commanders, this puts 72% of boys in the direct line of fire during their association, compared to 14% of the girls documented.

Thirty five of the boys formerly associated with M23 interviewed by MONUSCO mentioned the presence of girls used as combatants, and for what they called the female military police<sup>54</sup>. A 16-year old boy forcibly recruited by M23 in 2012 who escaped five months after his association told MONUSCO that he received military training along with three girls:

*“We were treated very badly during the training; we had to run in the night and were often beaten. There were three girls in my group, S. who was 16 and an Adjutant, F. who was 17 and a First Sergeant and D. who was only 11; S. had two small children who were killed by Captain [S.] on the way to Runyoni under the orders of Major [K.]”*<sup>55</sup>

A 17-year old boy recounted how he was given military training and that his training group consisted of 9 boys and 4 girls, whom he names. After the training he was reportedly assigned to a group composed of 29 children composed of 10 boys and four girls who were used as ‘wives’.<sup>56</sup>

Mayi Mayi Yakutumba, Mayi Mayi Lafontaine (a.k.a. FCP/AP) and NDC/Cheka used girls as combatants and provided military training for periods ranging from a few days in which they learned how to handle weapons (guns, machetes, bows and arrows, knives) to training on military rules and tactics lasting up to six months. Two 16 year old girls recruited by Mayi Mayi Yakutumba explained how they had also been forced to marry combatants. One of them, who spent a year and a half associated with the group before successfully escaping explains:

*“I was recruited in 2010 in Malela [Fizi Territory] by [B.N.]. He raped me first, and then gave me to [M.B.] - one of the combatants under his command, as his wife. I had to prepare food for the combatants, collected wood and brought water from the well.”*<sup>57</sup>

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<sup>54</sup> “Police Militaire Feminine” or “PMF”

<sup>55</sup> B-000-8586

<sup>56</sup> B-001-0815

<sup>57</sup> B-000-7636

A 16-year old boy who was recruited by force by FPC/AP explained how this armed group under leadership of Kakule Sikuli Vasaka alias Lafontaine joined the M23 to fight the FARDC in July 2012<sup>58</sup>.

*“We were redeployed to Rumangabo to join about 400 M23 combatants to receive military training. There were 32 young girls with us<sup>59</sup> while undergoing the training. On 23 July we all took part in fighting in Rugari [Rutshuru territory] against the FARDC.”<sup>60</sup>*

A 17-year old Rwandan boy who spent eight months associated with the M23 confirmed the presence of ten girls and young women, all of whom were combatants, but also used as for domestic tasks and for sexual purpose by the officers.<sup>61</sup>

Seven girls aged between 14 and 16 told MONUSCO they had joined Mayi Mayi Shetani voluntarily as combatants with the aim to protect their communities from the M23 in 2012 and 2013. They reported that girls had separate living quarters from the boys and men and only young women (18 and older) were used as spouses and for sexual purposes. All of them received training on how to handle guns and they explained that during clashes with M23, the military tactic Mayi Mayi Shetani used was to send boys to the frontline, with girls directly behind them and adult combatants covering the back for defence. Four of interviewed girls reported the killing of many boys and a girl during clashes.

Of the 307 children interviewed by MONUSCO who were recruited by elements under the command of armed group leader Lafontaine from 2009 to 2014, 95% reported they had received military training, while 61% said they had actually participated in combat. Although only five girls were documented, many boys reported the presence of young girls in the group, including as combatants, cooks, sex slaves and wives of commanders. A fifteen year old boy told MONUSCO that he belonged to a group composed of 13 children, including five girls aged around 15 years old used as PMF, and names them all.<sup>62</sup> Another 15 year old boy who had been associated with FPC/AP for 20 months told MONUSCO:

*“I underwent military training, after that I was mainly used as a cook and domestic worker. My group was composed of 40 elements, including 10 girls, aged between 16 and 17 years who were used as wives of combatants. We all fought together with FDLR against the Nyatura group of Colonel Muchoma.”<sup>63</sup>*

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<sup>58</sup> Lafontaine group is currently called FCP/AP but is also known as Mayi Mayi Lafontaine, UCP and before that PARECO. The leader is Kakule Sikuli Vasaka.

<sup>59</sup> The boy names two 16-year old girls in his group.

<sup>60</sup> B-000-8617

<sup>61</sup> B-000-9024

<sup>62</sup> B-000-9265

<sup>63</sup> B-000-9398

### 7.1.2 Girls as wives/concubines and sex slaves of combatants

Although 25% of the girls associated with armed groups interviewed by MONUSCO revealed they had been sexually exploited, it needs to be stressed again that some girls used as wives/concubines by adult combatants considered they were legitimate spouses and did not report sexual exploitation. Violations include rape, forced marriage and sexual slavery. Some of the victims testified that they had also been subjected to sexual violence by combatants prior to being recruited, including during attacks against their villages, while collecting water and firewood in the bush, in farms and in mining sites. Without exception, all 58 girls recruited by Mayi Mayi Simba reported being raped immediately following their abduction by elements of the armed group, a number of them by multiple perpetrators, and they were subsequently subjected to sexual violence on a daily basis. The girls who were not released by Mayi Mayi Simba within a week (29) were forced to participate in attacks against other villages and carry heavy loads of pillaged goods. A twelve year old survivor explains:

*“They attacked [our village] in the morning, and we were forced to carry the things they had stolen to the bush. I was with my mother and my older sister. We were raped by the same men many times... they attacked other villages and forced us to go with them to carry things. After three weeks they let us go. I am back in school with my friends. It’s very difficult.”<sup>64</sup>*

At least nine of the girls formerly associated with MMS were not able to resume their education after their ordeal for psychological reasons. Another girl (14) abducted during the same incident described how she was left behind in the forest by Mayi Mayi Simba after three weeks of association:

*“I was abducted when they attacked Epulu, they took me to the forest and I was raped many times and tortured. I was very sick because of injuries to my leg and knee. I was left behind because I couldn’t walk. Hunters found me a few days later.”<sup>65</sup>*

At least two girls (14 and 16) were abducted by Mayi Mayi Simba elements from the Bandinsenda mine in Mambasa territory, North Kivu, where they had stalls during the school holidays in August 2013. A 16 year old girl was abducted when the Mayi Mayi attacked Badengaido mine in September 2013:

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<sup>64</sup> B-000-9444

<sup>65</sup> 122209

*“I was with them for three weeks, and was raped many times. I was taken together with my grandmother by twelve armed men. We were forced to carry stolen goods to their camp in the forest. We were able to run away when the men were drunk and we walked back home.”*<sup>66</sup>

The vast majority of girls recruited by the LRA were raped upon their abduction, including an 8-year old girl, and used as wives/concubines, sometimes when only 10 years old. A 14-year old girl told MONUSCO she gave birth when eleven years old<sup>67</sup>. Another girl (13) who had spent two years in LRA captivity explained how she had to leave her young toddler behind in the bush when she managed to escape<sup>68</sup>, while another girl of the same age was released by the group with her 5-month old baby boy.<sup>69</sup>

A girl associated with Mayi Mayi Yakutumba for a year and a half told MONUSCO her experience:

*“I was abducted in [name village, Fizi territory] by a Mayi Mayi called [BM] from Yakutumba’s group. He raped me first, and then gave me to [MB] as his wife. I managed to escape just before Christmas.”*<sup>70</sup>

There is abundant evidence that FDLR use girls and women as sex slaves. A 15 year old girl who was abducted by FDLR in January 2012 when the public transport minibus she was travelling on was ambushed by FDLR combatants describes her harrowing ordeal:

*“We [two other young girls and a woman] were taken into the camp in the bush at Nyalamilima and we were all raped. The first time I was raped by five FDLR combatants”<sup>71</sup>. After that I was used by many combatants, more than 50, whenever they wanted.”*<sup>72</sup>

According to several witness statements, girls and women ranging from the estimated ages of 15 to 20 were used as sex slaves during their association with the M23. They were reportedly housed in separate quarters and subjected to rape by different commanders, sometimes five per day.

Girls who were forcibly married to combatants experienced more difficulty in escaping. For a number of them, their chance to flee came when her ‘husband’ died. For instance, a 16 year old girl abducted in 2009 at the age of 14 in Nyiangara Territory, Oriental Province by LRA

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<sup>66</sup> B-000-9871

<sup>67</sup> B-000-8341

<sup>68</sup> B-000-8989

<sup>69</sup> B-000-9121

<sup>70</sup> B-000-7636

<sup>71</sup> The victim names the five perpetrators.

<sup>72</sup> B-000-7865

elements explained to MONUSCO how she was taken to the bush and was given as a spouse to an LRA combatant. She managed to escape two years later when her ‘husband’ was killed during clashes with the FARDC. Several girls associated with other armed groups report similar experiences, such as the girl who was abducted by the FRPI in her village of Kabona in February 2013 when she was 13 years old:

*“The militia attacked our village. I was taken by a man who forced me to be his wife and used me. He wouldn’t let me leave and I had to stay with those people in the forest which was very hard. I escaped after a year when he died when we were attacked by the FARDC. I’m four months pregnant.”*<sup>73</sup>

## **8. OTHER CHILD RIGHTS VIOLATIONS DURING ASSOCIATION**

Many girls interviewed by MONUSCO told harrowing stories of abuses they and other children in the group suffered during their association. The most cited incidents of violence during their association were rape and frequent beatings. Seeing children murdered and maimed by commanders or killed and injured on the battlefield was mentioned by many as a particular cause for grief, as a 17 year old Congolese boy who spent four months in the M23 and testified to the presence of girls as combatants explains:

*“[Colonel] Baudoin was giving orders to kill his own elements (mostly minors) who tried to escape during fighting. Many children were scared to move forward to the front during the fighting and faked being dead. Some tried to escape and were shot and killed by their own side. The Colonel promised a higher rank for any combatant who killed those who tried to escape.”*<sup>74</sup>

Many girls described the constant fear and desperate living conditions, especially the exhaustion from forced labour, hunger and absence of medical care. At least three girls experienced the death of their baby upon delivery in the bush, or shortly after birth. A Ugandan girl, 14 years old, described her experience upon recruitment into the ADF in 2012, with whom she was associated for about 16 months:

*“My father made an agreement with someone from the ADF to take me to Kampala. From there I was taken to Camp Canada<sup>75</sup>, and I was forced to marry [Y.K.]. I became pregnant and gave birth to a baby who died after two months. My husband died when the FARDC attacked the camp and I was able to escape.”*<sup>76 77</sup>

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<sup>73</sup> B-0001-0340

<sup>74</sup> B-000-9116

<sup>75</sup> Virunga Park, Beni territory, North Kivu.

<sup>76</sup> Operation Sukola I, April 2014.



Children formerly associated with M23, Mayi Mayi Shetani, Mayi Mayi Simba and NDC/Cheka told MONUSCO that they had witnessed the killing of many child combatants on the battlefield, especially during clashes with FARDC and other armed groups in 2012 and 2013. Children associated with M23 reported that they were tasked to bury the bodies, sometimes three to a grave.

As described above, girls were not only victim to rape, but witnessed rapes against other girls and women, such as those associated with Mayi Mayi Simba, M23 and the LRA. A 17-year old boy explained to MONUSCO how he witnessed many rapes perpetrated by M23 combatants while he was associated with the group:

*“There were many children in Rumangabo [...]. Beautiful girls are being taken by M23 combatants for sexual abuse. Bosco ordered the combatants to rape girls on looting expeditions and that if we find a girl we should rape her without protection. We were told that if a combatant rapes a girl during the day, he must threaten her to death if she denounced him, as she would have seen his face. At night, combatants just abandon the girl where they rape her.”*<sup>78</sup>

Life in the LRA for girls was extremely harsh, with new abductees tied up and beaten, while children who tried to escape and were caught often paid with their lives. The LRA was always on the move, sometimes changing locations every three days, pillaging for survival. Many of the girls described the horrors of being forced to participate in looting sprees, killings and abductions. A girl associated with LRA for a month in 2010 described her sorrow at seeing adults and children abducted and killed during the raids on villages she was forced to participate in. The 11- year old remembers a particular incident in which LRA combatants murdered a woman and ‘threw her baby away’.<sup>79</sup>

Children, including girls, were forced to commit atrocities while associated with an armed group. At least twenty girls told of the traumatic experience of having to take part in killing other children who had tried to escape. A twelve year old victim abducted in 2012 by the LRA was one of the many girls who described such an experience:

*“One day a boy tried to escape. He was captured and we [the children] were told to kill him by hitting him on the head with sticks until he died.”*<sup>80</sup>

A 17-year old girl formerly associated with the LRA witnessed the beating to death of her little brother who had resisted being tied up<sup>81</sup>, while a 15-year old girl witnessed the murder of her

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<sup>77</sup> B-000-94536

<sup>78</sup> B-001-0815

<sup>79</sup> B-000-8729

<sup>80</sup> B-000-7787

young sister who was too frail to carry the heavy loads.<sup>82</sup> A 14-year old boy described how a little girl accused of witchcraft was killed.<sup>83</sup> Despite the constant threat of death, at least 96 of the interviewed girls formerly associated with the LRA did find the courage to escape (53%); most of them had to walk for many days, sometimes weeks, including across borders, before reaching home or a safe place from where they could be assisted to return to their families. The remaining 82 girls were either released by LRA commanders after a few days of association or separated following the capture or surrender of LRA factions.

## **9. RISK OF RE-RECRUITMENT**

Testimonies of children who escaped from FDLR, Nyatura, Rayia Mutomboki, Mayi Mayi Yakutumba and FRPI, all community-based armed groups, indicate that it can be difficult for children to avoid re-recruitment after initial separation. A 15-year old girl reported being abducted in South Irumu territory (Oriental Province) and used as wife/concubine by two FRPI elements for three months. After her release, she was harassed by one of her abductors and raped again.<sup>84</sup> Three boys stated they had been forced to join the FRPI while following vocational training in an NGO preparing them for their community reintegration. At least forty children, including ten girls, explained that their parents advocated for their release and prevention of re-recruitment by paying money or goats to commanders. These children had been associated with FRPI, Nyatura, Mayi Mayi Yakutumba and Rayia Mutomboki.

On-going insecurity and lack of sustainable reintegration in areas where children are reunited pose a very high risk of re-recruitment by armed groups. The assistance given to children formerly associated with armed groups in the DRC is frequently too short to meet the constant stream of children who are separated during screenings or who escape of their own accord from armed groups. Elimination and/or pacification of armed groups is the only sustainable solution to ending the recruitment of boys and girls.

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<sup>81</sup> B-000-7548

<sup>82</sup> B-000-7301

<sup>83</sup> B-000-7436

<sup>84</sup> B-000-7301

## **RECOMMENDATIONS**

### **The Government of the Democratic Republic of Congo should**

- Ensure that DDR programmes include the specific realities and needs of women and girls;
- Put in place prevention strategies of child recruitment, including targeted campaigns to girls, communities, parents, teachers and armed group commanders;
- Ensure the implementation of the Action Plan to stop and prevent child recruitment, sexual violence and other violations committed against children;
- Arrest and pursue perpetrators of girl recruitment and sexual violence;
- Continue the communication campaign to prevent early marriage.

### **Armed Groups should**

- Release all children, including girls, from their ranks and ensure they can benefit from the DDR III program;
- Stop recruiting girls and using them as combatants, in combat support roles, or for sexual purposes.

### **Other Actors, including Civil Society, Customary & traditional authorities should**

- Increase awareness of the grave consequences of the recruitment of children, especially girls, into armed groups;
- Prepare communities for the return of girls and to accept them and their children as victims;
- Support the campaign against early marriage as a customary practice.

### **Protection Stakeholders should**

- Reach out to girls associated with armed groups addressing their specific realities and needs to more effectively encourage them to leave armed groups and benefit from reintegration programs;
- Raise awareness of girls on the fact that being a wife/concubine to a commander is a violation of their rights;
- Encourage girls to report their recruitment and other violations, including sexual violence.

**Donors should** continue to support sustainable reintegration of children and address the particular needs of girls formerly associated to all armed groups and support awareness raising campaigns to end grave child rights violations.

## **ANNEX 1: LEGAL FRAMEWORK - REFERENCE TO RELEVANT INTERNATIONAL AND NATIONAL INSTRUMENTS IN DRC**

### **A. UN Convention on the Rights of the Child (20 November 1989)**

**Article 1** defines a child as every human being below the age of 18 (article 1)

**Article 38:** “State parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child”, specifically referring to unlawful recruitment and use of children under the age of 15.

**Article 39:** “State parties shall take all appropriate measures to promote physical and psychosocial recovery and reintegration of child victims”.

- Ratified by DRC on 27 September 1990

### **B. Optional Protocol II to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (12 February 2002)**

Optional Protocol II raises the minimum age for recruitment by parties to conflict (compulsory or voluntary to 18 years (Article 1, 2, 3, 4). It states that parties to conflict shall take every feasible step to ensure that children under the age of 18 years do not take part in hostilities.

- Ratified by GoDRC on 11 November 2001

### **C. ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (18 November 2000)**

The Convention prohibits, inter alia, forced or compulsory recruitment of children for use in armed conflict.

- Ratified by GoDRC on 28 March 2001

### **D. Rome Statute of the International Criminal Court (1 July 2002)**

The Rome Statute establishes the International Criminal Court that shall have jurisdiction in respect to war crimes in particular when committed as a part of policy or as a part of a large scale commission of such crimes. The Statute made the conscription, enlistment or use of children under 15 by national armed forces or armed groups a war crime.

- Ratified by GoDRC on 30 March 2002

### **E. African Charter on the Rights and Welfare of the Child (1999)**

The charter states that all necessary measures need to be taken to ensure that no child should take a direct part in hostilities and refrain, in particular, from recruiting any child (article 1). In article 3, it states that States Parties, in accordance with obligations under international humanitarian law, are to ensure protection and care of children who are affected by armed conflict and that such rule shall apply also to children in situations of internal conflicts, tension and strife.

**F. The Paris Conference of February 2007 was held to review the Cape Town Principles of 2002 to protect children unlawfully recruited by armed forces and groups and resulted in two important documents: The Paris Commitments and The Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups.**

The **Commitments** are a concise set of principles endorsed by more than 200 member states, while the **Principles** provide detailed guidance for those who implement programmes and response; both draw from international law and standards while incorporating knowledge and lessons learned on prevention, protection, release and reintegration of children associated with armed forces and groups. The Principles recognise that “in a situation of armed conflict, States and armed groups are the primary actors responsible for the protection of civilians in their effective control”.

- Endorsed by the GoDRC in February 2007

**G. Congolese Child Protection Law (“Loi portant Protection de l’Enfant”) ( 9 January 2009)**

The law prohibits the recruitment and use of any person below the age of 18 in armed forces and groups as well as the national police (Article 71) and sets the sanction at 10 to 20 years imprisonment for perpetrators.

**H. United Nations/Government of the DRC Action Plan to stop and prevent underage recruitment, sexual violence and other grave child rights violations (4 October 2012)**

The UN/GoDRC Action Plan applies to armed forces and security services of the DRC and includes provisions on national and foreign armed groups operating in the country. The Congolese government commits to work closely with the UN Country Task Force on Children and Armed Conflict and the Office of the Special Representative of the Secretary-General on Children and Armed Conflict to stop and prevent underage recruitment and sexual violence against children. The implementation of the Action Plan focuses on four pillars:

**Separation** and release of all children associated with armed forces and groups;

**Response** through comprehensive and sustainable reintegration programmes for child victims of the armed conflict;

**Prevention** through training, advocacy, comprehensive awareness raising campaigns and Government directives to security forces and services;

**Impunity** by ensuring accountability for perpetrators of grave child rights violations.

**I Want the World to Know**  
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***I want the world to know what happened to you***  
***I want the world to know how to heal you***

Little girl, frightened eyes, lying by the roadside  
Your eyes are wide open, your dress is torn  
What have you seen? What did he do to you?  
Tell me what happened to you  
Because I want the world to know

***I want the world to know what happened to you***  
***I want the world to know how to heal you***

Hey lady crying in the corner, you are hiding  
Your eyes are full of shame, your body doubled up in pain  
What happened to you? What did he do to you?  
Tell me what happened to you  
Because I want the world to know

***I want the world to know what happened to you***  
***I want the world to know how to heal you***

Hey big brother trying to run away from yourself  
What did you do to her? What evil did you leave behind?  
Tell me what you did to that woman; tell me what you did to that girl  
What you took from your sister that she didn't want to give to you  
Because I want the world to know what happened to you

***I want the world to know what you did***  
***I want the world to know how to punish you***

***Silence***  
***We have to break the silence...***



Bureau du Représentant Spécial du Secrétaire Général pour  
**LES ENFANTS ET LES CONFLITS ARMÉS**

unicef 

# **NOUS SOMMES DES ENFANTS PAS DES SOLDATS**

ENSEMBLE POUR METTRE FIN AU RECRUTEMENT ET À  
L'UTILISATION D'ENFANTS DANS LES CONFLITS ARMÉS

