

## Submission to the Committee on the Rights of the Child on child recruitment and the reintegration of girls in Democratic Republic of Congo (DRC)

April 2016

Based on previous research conducted by Child Soldiers International, recommendations made by the Committee on the Rights of the Child to the Congolese government in 2012<sup>1</sup>, and ongoing consultations with national partners, Child Soldiers International developed a project designed to improve the effectiveness of demobilisation, recovery and reintegration (or “DDR”) programmes for girls in DRC. As part of this project, a research team from Child Soldiers International spent six weeks in north-eastern DRC<sup>2</sup> in January-February 2016 to evaluate the quality of current programming and understand obstacles to the effective reintegration of girls formerly associated with armed groups and armed forces. To this end, interviews were conducted with more than 150 girls, more than 80 members of community-based child protection networks (or “RECOPE”), more than 30 child protection actors and more than 10 government officials. A set of core principles on appropriate assistance for the recovery and reintegration of girls are currently being developed. This document sets out the preliminary findings from the research, complemented by a desk review of recent, publicly available research.<sup>3</sup>

### Main concerns relating to the recovery and reintegration of girls

- There is still no national strategy and budget specifically dedicated to the reintegration of girls formerly associated with armed forces and armed groups.
- Girls are still invisible at the point of demobilisation and a large number remain with armed groups. The majority of the girls interviewed told Child Soldiers International that large numbers of other girls were still associated with the armed group at the time they were able to leave, and in several cases, where the girls came from the same communities, they could confirm that some girls were still missing. According to the Child Protection section of MONUSCO, girls represent 30-40% of children associated with armed groups in DRC, yet they represent only 7% of the total number of children demobilised in 2009-2015.<sup>4</sup> A DDR provider in North Kivu, who works to separate children from armed groups, told Child Soldiers International that the organisation rarely encounters girls at the point of verification; when it does, verification procedures fail to identify their specific form of association with a group (that is to say as “wives” of combatants).

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<sup>1</sup> “As a matter of priority, develop and implement in collaboration with the United Nations and child protection actors a strategy to identify and provide effective reintegration assistance to current and former girl soldiers and their children, which meet their complex medical, economic and psychosocial needs; Every effort should be made to ensure these initiatives, and any resulting programmes, do not increase the stigma and exclusion faced by former girl soldiers”, CRC/C/OPAC/COD/1 para 49 (b), Committee on the Rights of the Child, 59th session 2012, paragraph 49 (b).

<sup>2</sup> Provinces covered: North Kivu: Goma, Nyiragongo North and South, Bweremana, Shasha, Masisi, Rutshuru (Rubare, Rugare, Kiwanja), Walikale (Walikale centre, Nyasi, axe Goma-Kisangani, axe Goma-Bukavu, axe Walikale-Goma), Masisi Nord/Sud/Centre, Katogota (Katogota, Sange, Lupango). South Kivu: Bukavu (Katana), Uvira (Mboko, axe Fizi), Lupango (Sange Mutarule), Minova (Axe Kalungu, Numbi, Murambi, Minova). Province Orientale: Dungu, Duru, Nambia, Nyianguara (Haut Uélé).

<sup>3</sup> United Nations Organisation Stabilisation Mission in the Democratic Republic of Congo/MONUSCO, *Invisible survivors: Girls in Armed Groups in the Democratic Republic of Congo from 2009 to 2015*, 2015: <https://childrenandarmedconflict.un.org/wp-content/uploads/2015/11/151123-Girls-in-Armed-Groups-2009-2015-Final.pdf>; and *Child Recruitment by Armed Groups in DRC From January 2012 to August 2013*, 2013: <http://monusco.unmissions.org/LinkClick.aspx?fileticket=DazRcHfpAJo%3d&tabid=10701&mid=13689&language=en-US>; Human Rights Watch, *Our School Became the Battlefield : Using Schools for Child Recruitment and Military Purposes in Eastern Democratic Republic of Congo*, 2015: [https://www.hrw.org/sites/default/files/report\\_pdf/drcschools1015\\_web.pdf](https://www.hrw.org/sites/default/files/report_pdf/drcschools1015_web.pdf)

<sup>4</sup> MONUSCO, *Invisible survivors*, page 8.

- Many girls who do get separated from armed groups do not receive any reintegration assistance. Funding appears to be the main issue. One major DDR agency told Child Soldiers International that they had a long list of formerly associated children but had not been able to conduct reintegration activities because of lack of funding. In some places visited by Child Soldiers International, funding ran out over a year ago. Often, promises of support made to the girls were not followed up, and vocational training or education support ended abruptly. Only a handful of the 150 girls Child Soldiers International interviewed had received any meaningful recovery and/or reintegration support.<sup>5</sup> Many are still waiting for assistance.<sup>6</sup>
- Reintegration programmes do not adequately address the specific needs of girls coming out of armed groups. In addition, girls who do receive reintegration assistance are rarely consulted and involved in programmes. DDR providers readily told Child Soldiers International that their projects had no specific strategy for girls other than including hair-dressing and tailoring in their trainings (versus carpentry or mechanics for boys). Little or no thought had been put into understanding the specific psychosocial and economic needs of formerly associated girls, nor in developing family and community-based strategies to promote their reintegration.
- Yet, interviews with community-based child protection networks, or RECOPEs,<sup>7</sup> and the girls themselves reaffirmed previous findings on stigmatisation as a major obstacle to the reintegration of girls in their communities. Many girls are perceived as having lost their social “value” due to their association with an armed group, and their actual/imputed sexual relations with a man outside of marriage. This is particularly true for girls who were abducted and forced to join armed groups. For example, this was reported in Nyiragongo Nord (North Kivu) where some girls formerly associated with the so-called “M23” armed group said their teachers put them down in front of the class, and did not let them carry the class book. However, even girls who joined self-defence militias for protection or an income faced this stigma upon returning to their communities. One girl from Shasha (Bord du Lac, North Kivu) who joined the Mai-Mai APCLS<sup>8</sup> said: “*Since I came back my friends have abandoned me, they treat me like a criminal*”.<sup>9</sup>
- Many programmes overlook the girls’ simple need to talk. The opportunity to talk and be listened to, regularly and over a long period of time, is crucial for the psychosocial recovery of the child in her community. Not much funding is required to train dedicated individuals, including members of the community, to this task. Many girls interviewed by Child Soldiers International only wanted to have someone to talk to about their problems.
- The stigmatisation of girls who have been associated with armed groups is so engrained in the communities visited by Child Soldiers International that several providers of assistance (mainly RECOPE members) admitted that they would not want their own children to associate with girls formerly associated with armed groups.
- As previous research has found,<sup>10</sup> being accepted by one’s community is the single most important factor in the successful reintegration of children formerly associated with armed groups. However, Child Soldiers International’s research showed that current DDR programming on community acceptance was vastly insufficient or non-existent. As a result, many girls re-joined

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<sup>5</sup> Child Soldiers International has not been able to compile all the data since it completed its research on 1 March. However, by way of example, out of 31 girls interviewed in Rutshuru 20 said they had not benefitted from any assistance, and one girl who was promised sewing classes never received them. Yet, the majority of girls interviewed were presented to Child Soldiers International through NGOs working on child DDR.

<sup>6</sup> Several NGOs interviewed by Child Soldiers International are trying to fundraise to be able to support these children.

<sup>7</sup> These child protection networks (in French: *Réseaux communautaires pour la protection de l’enfant* or RECOPE) are coordinated by the Department for Social Affairs (*Division des affaires sociales/DIVAS*) and were initially piloted in North Kivu by Save the Children UK in 2000, in partnership with national NGOs. RECOPEs are composed of respected members of the community representing various sectors of society (education, business, health, religion, police etc.). Members are appointed by communities themselves. They are trained to identify and respond to child protection cases as well as to raise local awareness on child protection issues. RECOPEs can now be found all over the Kivus.

<sup>8</sup> Alliance for a Free and Sovereign Congo (*Alliance pour un Congo Libre et Souverain/APCLS*), a self-defence community militia, or Mai Mai.

<sup>9</sup> Girl interviewed in Shasha, Bord du Lac, North Kivu, 22 January 2016.

<sup>10</sup> See Betancourt, T.S., Borisova, I., Williams, T.P., Brennan, R.T., Whitfield, T.H., de la Soudière, M., Williamson, J., Gilman, S.E., *Sierra Leone’s Former Child Soldiers: A Follow-Up Study of Psychosocial Adjustment and Community Reintegration*, 2010: [http://www.child-soldiers.org/psychosocial\\_report\\_reader.php?id=627](http://www.child-soldiers.org/psychosocial_report_reader.php?id=627)

an armed group after being rejected by their communities and families upon return.<sup>11</sup> Girls interviewed in Nyiragongo said that many girls who left the APCLS subsequently rejoined the group because of poor reception from their community and family. One girl in Nyiragongo told Child Soldiers International that it was better to stay and die with the armed group than to return home and be rejected.

- The *Division des affaires sociales*, or DIVAS, is unable to play its supervisory role on child protection with members of the RECOPEs because it sorely lacks the resources and capacity required for this work. Approximately a third of the 150 girls interviewed by Child Soldiers International did not appear to know of any DIVAS local representative or any RECOPE member.<sup>12</sup>

### Other concerns relating to the recruitment of children in DRC

- Although formal enlistment of children in the country's armed forces (FARDC) has virtually ceased, Child Soldiers International received credible reports of **members of the armed forces using girls as "wives" or concubines**, i.e. for domestic and sexual purposes. In one case in Bijombo (Hauts Plateaux region, near Uvira in South Kivu) a soldier was reported to have kidnapped a 14-year-old girl whom he had got pregnant, and taken her to Mboko.
- **To this day, no member of an armed force or armed group in DRC has been convicted in a Congolese tribunal for recruitment or use of children.** However, according to MONUSCO,<sup>13</sup> at least 8 members of armed groups are currently in detention and under investigation for these crimes. One FARDC Colonel suspected of having recruited children in North Kivu in 2013-2014 has been arrested and released on bail for medical reasons in 2015. In addition, neither the civilian nor the military justice jurisdictions have addressed the specific issue of girls associated with FARDC soldiers in the context of the implementation of the Penal Code<sup>14</sup> and the Child Protection Code,<sup>15</sup> which both prohibit sexual violence against children.
- **Some children separated from armed groups continue to be detained**, sometimes for long periods of time, by members of the FARDC and intelligence services before being handed over to MONUSCO (Child Protection section), in contravention of the Action Plan to Stop and Prevent Child Recruitment and Other Grave Child Rights Violations, signed on 4 October 2012.<sup>16</sup> A Human Rights Watch report from April 2016 states that a minimum of 29 children are unlawfully detained since 2015 in a military prison in Akenga, north-eastern DRC, for alleged association with the FDLR.<sup>17</sup> The children have not been charged with any crime and many of them said they were civilians.<sup>18</sup>
- **Some FARDC members continue to provide support to or cooperate with armed groups** known to recruit and use children. According to MONUSCO, "the fact that the FARDC cooperates and fights along militias having children in their ranks constitutes a violation of their commitment to end and prevent child recruitment as enshrined in the Action Plan".<sup>19</sup> Previous research conducted by Child Soldiers International revealed instances of collaboration between FARDC units and such armed groups for the purpose of joint exploitation and illegal trafficking of wood

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<sup>11</sup> Girls interviewed in Nyiragongo Sud (North Kivu) said that many girls who left the APCLS subsequently rejoined the group because of poor reception from their community and family.

<sup>12</sup> However, in the case of RECOPE members, this ignorance could be due to the fact that girls know them as community members and not as RECOPE. Be it as it may, only a handful of girls said that they had received any particular support from a specialised community member.

<sup>13</sup> Email correspondence with the Child Protection section of MONUSCO, May 2016.

<sup>14</sup> Loi n° 06/018 du 20 juillet 2006 modifiant et complétant le Décret du 30 janvier 1040 portant Code pénal Congolais : [https://www.icrc.org/ihl-nat.nsf/0/efc440500307d260c12576560050e57e/\\$FILE/01449916.pdf/Loi%20modifiant%20le%20code%20p%C3%A9nal.pdf](https://www.icrc.org/ihl-nat.nsf/0/efc440500307d260c12576560050e57e/$FILE/01449916.pdf/Loi%20modifiant%20le%20code%20p%C3%A9nal.pdf)

<sup>15</sup> Loi n° 09/001 du 10 janvier 2009 portant protection de l'enfant : <http://www.leganet.cd/Legislation/JO/2009/L.09.001.10.01.09.htm>

<sup>16</sup> MONUSCO, *Invisible survivors*, page 4.

<sup>17</sup> Democratic Forces for the Liberation of Rwanda (*Forces démocratiques de libération du Rwanda*) – armed group considered as foreign on the Congolese territory.

<sup>18</sup> *DR Congo: Children held in remote military prison - Former Child Soldiers Should Be Rehabilitated, Released*, 2016: <https://www.hrw.org/news/2016/04/04/dr-congo-children-held-remote-military-prison>

<sup>19</sup> *Child Recruitment by Armed Groups in DRC from January 2012 to August 2013*, 2013, pages 8-10.

and minerals<sup>20</sup> and a recent report by the Congo Research Group denounces the involvement of FARDC members in attacks on the civilian population in Beni (North Kivu), alongside the ADF,<sup>21</sup> between October 2014 and December 2015.<sup>22</sup>

- **The military use of schools by the FARDC** continues to make education infrastructure a legitimate target of military attacks. “Troops occupying schools expose students and teachers to risks such as unlawful recruitment, forced labour, beatings, and sexual violence”.<sup>23</sup>

### What we learnt from the girls

- Child Soldiers International identified four main (overlapping) reasons for girls to join an armed group :
  1. **Interruption of schooling**, often due to poverty. For example, in Rutshuru (North Kivu) the majority of girls who joined an armed group stated clearly that they joined because they were forced out of school for not paying their fees: “*We heard that we could get money there; I went because I wanted to get enough money to go back to school.*”<sup>24</sup> A high proportion of girls interviewed by Child Soldiers International were illiterate;
  2. **Poverty** and the hope to earn a livelihood through the armed group;
  3. **Seeking revenge** for the killing of a parent, or after a sexual assault or other vicious attacks on their families and communities; and
  4. **Need for protection** for themselves or for their families and communities.

Except for interruption of schooling, which came up as a recurrent factor, reasons for joining varied from region to region. However, they were often largely area-specific. In South Kivu province (Uvira/Katogota) for example, Child Soldiers International heard consistent stories of girls joining to both avenge the killing of a parent and for protection purposes.

- Some girls who found a blaming and discriminating environment upon returning home, after they had suffered immensely at the hands of the armed group, were understandably angry at their community's lack of understanding or sometimes hostility towards them. This anger, in turn, resulted in their adopting attitudes and behaviours that only served to reinforce communities' perceptions and further their ostracisation.
- As highlighted by previous research, interviews conducted with girls by Child Soldiers International confirmed that access to education can be a powerful factor in preventing girls from joining armed groups, but also promoting social acceptance of returning girls. Additionally, education contributes to restoring and strengthening their psychosocial well-being once they are back in their communities. The vast majority of girls interviewed by Child Soldiers International said they wanted to go back to school.
- Interest and support given to returning girls by community leaders (religious leaders, teachers, traditional chiefs, RECOPE members and other valued and influential members of the community) can play a major role in community acceptance and the child's psychosocial recovery. Only individuals highly respected by the communities themselves have the power to change the hearts and behaviours of those communities towards the returning girls.
- The extreme diversity of experiences of formerly associated girls<sup>25</sup> entails that reintegration assistance should be tailored to the circumstances of each girl and with each girl's full involvement.

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<sup>20</sup> Confidential, unpublished research conducted by a Child Soldiers International consultant in 2014-2015.

<sup>21</sup> The Allied Democratic Forces, originally made up of Ugandan opposition elements, have been active in DRC for the past 20 years.

<sup>22</sup> *Qui sont les tueurs de Béni? Rapport d'enquête N1*, 2016: <http://congoresearchgroup.org/wp-content/uploads/2016/03/Rapport-Beni-GEC-21-mars.pdf>

<sup>23</sup> Human Rights Watch, *Our School Became the Battlefield*, page 1.

<sup>24</sup> Girl interviewed in Kiwanja, Rutshuru, North Kivu, 6 February 2016.

<sup>25</sup> While some were brutally abducted and held captive for several years, others decided to join a local defence group of their own accord and stayed for a few months. Some returned to find their entire family, others returned to find that both their parents had been killed.

## Key recommendations

- With the support of UNICEF and MONUSCO, and in keeping with previous recommendations of the Committee on the Rights of the Child, the President's Special Advisor on sexual violence and child recruitment could hold a nation-wide workshop with key DDR actors, including the national coordination body on DDR or UEPN-DDR,<sup>26</sup> in order to revise the Operational Framework on child DDR and the objectives of the DDR III programme launched in 2003, and to develop specific prevention, separation and reintegration strategies for girls, based on recent studies. The outcome should be a short, practical publication on "ways to help prevent recruitment of girls, facilitate their separation from armed groups, and promote positive family and community reintegration". This strategy should be accompanied by training of key community members and other DDR actors in areas of high child recruitment.

### *Child participation and community acceptance as key for successful reintegration*

- Independently of whether a national strategy on girls' DDR is elaborated, the government and DDR actors should develop strategies that place community acceptance of returning girls at the centre of the reintegration process, including by guaranteeing funding from programmes specifically dedicated to these girls. Such a strategy would promote:
  - First and foremost listening to returning girls, and involving them fully in their own psychosocial recovery and reintegration. Wherever possible, families should also be consulted.
  - Developing demobilisation messages clearly expressing what girls stand to gain if they leave an armed group. These messages will of course need to be backed up by reality and actual opportunities (e.g. literacy classes or catch-up classes designed to reintegrate the girls into formal education), and most importantly they need to be preceded by engagement with concerned communities so that they are ready to receive and accept the girls.
  - Sensitizing, and involving community leaders so that they actively promote community acceptance and support to the returning girls.
  - Supporting existing community structures (schools, churches and church-organised activities e.g. choirs, traditional dance groups, youth clubs, etc.) in promoting community acceptance and support for returning girls by including them in valued community activities. The creation of public spaces where children can regularly meet, talk, listen and be listened to breaks their social isolation and promotes psychosocial recovery and community reintegration.
  - Strengthening the capacity of the UEPN-DDR as well as that of the DIVAS in its direct as well as supervisory child protection role with RECOPE members. RECOPEs need sufficient means of transportation and more frequent and technically-relevant child protection training.

### *Recognising the extreme diversity in girls experiences*

- DDR programmes for girls should be guided by the specific circumstances of each girl and not by a pre-written programme blue-print. The vast diversity of circumstances experienced by formerly associated girls in DRC renders it critically important for programming to be flexible enough to accommodate these varieties and to focus on the need to learn and analyse the specific situation of every girl before making a decision on her recovery and reintegration needs.
- When vocational trainings are deemed appropriate these should be small-scale and backed up by market studies. The most motivated and best suited candidates should be selected. Trainings should take into account the specific needs of each girl, including those of girls with children, and include individual, post-training follow-up.

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<sup>26</sup> Project Implementation Unit of the National DDR Programme (*Unité d'Exécution du Programme National de DDR*)

### *Education: a powerful tool*

- Improve girls' access to education by:
  - Increasing education funding in areas of high “voluntary” recruitment to enable vulnerable girls to attend school, and make sure that return to school is guaranteed for every formerly associated girl who desires it, taking into account their specific needs (for example if they have children).
  - Simultaneously expanding current governmental (and non-governmental) programmes on "catch up education" (*ratrappage scolaire*), which are proving to be more accessible to many returning girls unable to re-join the formal education system. Ensure that both primary and secondary level classes are offered and permit reintegration into formal education as required.
  - Including a specific country-wide programme on girls' literacy in the new Education Sector Plan for the period 2016-2025, building on efforts initiated in the Interim Education Sector Plan during the period of 2012-2014.<sup>27</sup> Illiteracy is both a blatant breach of children's rights and an additional vulnerability of girls to recruitment.
  - Ensuring that all child protection and psychosocial support training for teachers include a section on understanding the difficulties of and supporting girls formerly associated with armed groups.
  - In line with United Nations Security Council Resolution 2225<sup>28</sup>, taking concrete measures to deter the military use of schools which may render schools legitimate targets of attack, through joining the Safe Schools Declaration and implementing the *Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict*.<sup>29</sup>

### *Ending impunity*

- Ensure that no military, financial or logistical support is provided by the government or by members of the FARDC to armed groups suspected of recruiting or using children, or committing other human rights abuses.
- Investigate all reports of collaboration between the FARDC and such armed groups, with a view to taking disciplinary action against those members of the armed forces who engage in such collaboration.
- Prioritise criminal investigations and prosecutions of individuals suspected of recruiting children and/or using them in hostilities – including for sexual and domestic purposes. Ensure that FARDC members do not use girls under the age of 18 as “wives” or concubines.

/END

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<sup>27</sup> Ministry of Education, *Interim Education Plan 2012-2014*, 2012.

<sup>28</sup> United Nations Security Council Resolution 2225, 2015, paragraph 7:  
[http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_res\\_2225.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2225.pdf)

<sup>29</sup> Guidelines for Protecting Schools and Universities from Military Use During Armed Conflict, the Global Coalition to Protect Education from Attack, 2014: [http://www.protectingeducation.org/sites/default/files/documents/guidelines\\_en.pdf](http://www.protectingeducation.org/sites/default/files/documents/guidelines_en.pdf)