

Women's Initiatives for Gender Justice



In Pursuit of Peace

www.iccwomen.org

April 2010

The Women's Initiatives for Gender Justice is an international women's human rights organisation that advocates for gender justice through the International Criminal Court (ICC) and works with women most affected by the conflict situations under investigation by the ICC.

Currently the Women's Initiatives for Gender Justice has country-based programmes in the four ICC situation countries: Uganda, the Democratic Republic of the Congo, Sudan and the Central African Republic.

The strategic programme areas for the Women's Initiatives include:

- Political and legal advocacy for accountability and prosecution of gender-based crimes
- Capacity and movement building initiatives with women in armed conflicts
- Conflict resolution and integration of gender issues within the negotiations and implementation of Peace Agreements (Uganda, DRC, Darfur)
- Documentation of gender-based crimes in armed conflicts
- Victims' participation before the ICC
- Training of activists, lawyers and judges on the Rome Statute and international jurisprudence regarding gender-based crimes
- Advocacy for reparations for women victims/survivors of armed conflicts

In 2006 the Women's Initiatives for Gender Justice was the first NGO to file before the International Criminal Court and to date is the only women's rights organisation to have been granted *amicus curiae* status.

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Introduction

This publication is in honour of women around the world who pursue peace, and whose efforts to reconcile communities, insist on accountability, and sustain their families in times of crisis require the kind of courage most of us are rarely called upon to display.

The Women's Initiatives for Gender Justice has been working in armed conflict situations since 2004, advocating for justice through the International Criminal Court and domestic prosecutions as well as supporting the voice, capacity, strategies and mobilisation of women's rights and peace activists in armed conflicts.

Since 2007 we have been intimately involved in the peace talks in Northern Uganda, and more recently in the preparation for the implementation phase of the Juba Peace Agreements. We have held consultations with Sudanese women activists on the Darfur Peace Process, working towards development of a gender platform for these critical talks. We have joined with our local partners in advocating for implementation of the recommendations concerning victims that emerged from the Inclusive Political Dialogue and for support for victims in the Central African Republic (CAR). In 2009 we challenged the legality of the Goma Peace Agreements signed between armed militia groups and the Government of the Democratic Republic of the Congo (DRC).



In each of these situations we have found some recurring themes:

- Women are excluded from the peace process either because no one thinks to include them or because their presence, and their advocacy for accountability, is considered a nuisance and possibly even hazardous to the ‘fragile’ negotiations. Women are constantly told that our presence is a threat to peace.
- Material, financial, strategic and technical capacities are not sufficiently developed for most women’s organisations and groups, particularly those emerging from armed conflicts, to be able to participate in the talks and impact on the process.
- Women advocates and gender experts are seldom assigned to mediation teams and few technical advisers take gender issues seriously.
- The UN has consistently failed to implement its own Security Council resolutions that require women to be actively included in peace talks and require peace agreements to guarantee an end to impunity for acts of sexual violence.¹ The UN has never appointed a woman as a Chief Mediator, and UN-sponsored or co-sponsored talks are regularly conducted in a vacuum not only from resolutions of the Security Council, but also from the demands, views, aspirations and desires of the affected communities, and their calls for accountability and peace, reconciliation and justice.

1 S/RES/1325(2000) and S/RES/1820(2008).



In many respects peace happens to women in the same way violence does – without their consent, beyond their control, and without satisfaction at the outcome.

In Pursuit of Peace includes statements, documents and calls to action from women peace activists in relation to three countries emerging from, or still held captive to, armed conflict. In Uganda, the DRC and CAR, women have expressed their views, sought to be heard, and demanded a stake in the process.

The pursuit of peace continues.

Peace has to be created, in order to be maintained. It is the product of Faith, Strength, Energy, Will, Sympathy, Justice, Imagination, and the triumph of principle. It will never be achieved by passivity and quietism.

— Dorothy Thompson

Brigid Inder

Executive Director

Women's Initiatives for Gender Justice

April 2010

One day we must come to see that peace is not merely a distant goal we seek, but that it is a means by which we arrive at that goal. We must pursue peaceful ends through peaceful means.

—Martin Luther King Jr.



Democratic Republic of the Congo



Declaration from Women of the East

Women's Initiatives for Gender Justice
Encadrement des Femmes Indigènes et de Ménages Vulnérables (EFIM)

6 June 2009

On 5 and 6 June 2009 we, the Women from the East of the Democratic Republic of the Congo (DRC), along with delegates from different women's organisations from North and South Kivu and Ituri gathered in Goma to review and reflect on the two Peace Agreements signed on 23 March 2009 between the Government of DRC and the CNDP (*Congrès National pour la Défense du Peuple*)¹ and between the Government and other armed groups² for peace in the Kivus.

Following an analysis of the Agreements, we note the following observations:

- 1** Women have not been sufficiently represented in the preparation and the conclusion of these Peace Agreements although they mention the reconciliation of both boys and girls in the DRC;

1 National Congress for the Defence of the People.

2 The Republican and Federalist Forces (FRF), the Yakutumba Group, the Zabuloni Group, Mai-Mai Kirikicho, PARECO South Kivu, Raia Mutomboki, Mai-Mai Ny'kiriba, Mai-Mai Kapopo, Mai-Mai Mahoro, Mai-Mai Shikito, Mudundu 40, Simba Mai-Mai and Mai-Mai Shabunda.

- 2 Some armed groups maintain their status as political and military movements leading to the continuation of abuses on the ground despite the signing of the Agreements;
- 3 The failure to integrate some armed groups has led to upheavals amongst those who have accepted integration into the (Congolese) regular armed forces;
- 4 The current amnesty law enshrines impunity and discrimination;
- 5 The government has made a commitment to create a specific ministerial structure, responsible for homeland security, local affairs and reconciliation;
- 6 The proposal for the creation of a special police unit within the Congolese National Police (CNP) comprised of former militia combatants to assist IDPs returning to their villages;
- 7 The slowness of the government in the return process, the social reinsertion, the reintegration of refugees and internally displaced persons in their respective surroundings;
- 8 The proposal by the CNDP for division of the national territory;
- 9 The new strategic orientation for the fundamental reform of the Congolese army and security services;
- 10 The government's commitment to prioritise widows, wounded and orphans of the former CNDP combatants, to the detriment of other victims of war;
- 11 The government's commitment to recognise the ranks of CNDP members, thus favoring them over some armed groups who have yet to integrate;
- 12 The failure of some armed groups to respect commitments relating to national sovereignty, territorial integrity, the inviolability of State functions, human rights, and the republican character of the armed forces; and
- 13 The failure of the government to provide social welfare services and the payment of salaries to the Congolese Army.

As a result of these concerns and observations, we recommend the following:

- 1 The effective participation of women in the implementation of these Agreements at all levels;
- 2 The respect of commitments by all parties concerned and the acceleration in the implementation of these commitments;
- 3 The implementation of integration for all armed groups prior to the integration of any groups into the regular army;³
- 4 The amnesty law must be applied in a general and unbiased manner;
- 5 The revision of the amnesty law is required so that it does not allow for impunity;
- 6 Strengthen the capacity of the Congolese National Police (CNP) and ensure it is not weakened through the integration of 'police' from the CNDP militia into the Congolese police force. The authorities must provide training and vet all members of the CNDP police in relation to the past commission of gender-based crimes prior to their integration into the 'community police' or the Special Police Unit which is to be assembled for the purpose of assisting the return of refugees and IDPs to their homes;
- 7 That the government makes efforts towards the effective implementation of these Agreements, whilst revisiting the earlier peace agreements;
- 8 That the government fully respects the constitution of the Democratic Republic of the Congo;
- 9 Requesting the partners of the DRC to become effectively involved in the reform of the republican army and to advocate for an acceleration of the process;
- 10 That the government defines and establishes programs for the reintegration and social reinsertion of victims of war;

3 Such integration must be in compliance with international law and United Nations Security Council resolutions, including Resolution 1820.

- 11 That the government stops promoting criminals to high ranks in the army or public offices;
- 12 That the government exercises its responsibilities to oversee, monitor and ensure effective pay mechanisms for civil servants and the military. In addition, the government should hold to account those who embezzle public funds;
- 13 The re-establishment of the authority of the State and of the customary power of traditional leaders;
- 14 That the government acts responsibly in economic reform and takes into account the interests of the population;
- 15 That the government provides sufficient, accurate and clear information and is transparent in all matters relating to the governing of the country.

*Peace sustains
itself on Justice,
and Justice
builds Peace.*

*—Participants of the
Goma Workshop June 2009*

The participants

- AFPDI – Bunia
- AMIE – Bunia
- Association Femme et Développement (AFD) – Fizi
- Association des Mamans Chrétiennes pour l'Assistance aux Vulnérables (AMCAV) – Uvira
- ASSOMARA – Bunia
- ATELIER – Kiwanja
- Collectif des Associations des Femmes Pour le Développement (CAFED) – Goma
- Encadrement des Femmes Indigènes et des Ménages Vulnérables (EFIM) – Goma
- Encadrement des Femmes Indigènes et des Ménages Vulnérables (EFIM) – Masisi/Katanga
- FVMX – Sake/Masisi
- GRAADE – Walikale
- Initiatives des Femmes pour le Développement, l'Auto Promotion et la Paix (IFDAP) – Uvira
- L. Féminin pour la Paix – Uvira
- MUMALUKU – Lubero
- ODTI – Bukavu
- Réveil des Femmes pour le Développement Intégrée (RFEDI) – Goma
- Solidarité Féminine pour la Paix et le Développement Intégral (SOFEPADI) – Beni
- Solidarité Féminine pour la Paix et le Développement Intégral (SOFEPADI) – Bunia
- SVA – Butembo
- TCJP – Bukavu

Declaration of Women Activists from Congo

Kinshasa, Democratic Republic of the Congo

19 May 2009

Women's rights activists took advantage of the visit of members of the UN Security Council to send an SOS message regarding the threats and attacks they are subjected to as a result of their work for the defence and promotion of women's rights.

Although several resolutions have been approved by the UN to grant the protection of women before, during and after conflicts, women and girls in general and activists in particular are increasingly threatened, intimidated, attacked and even killed because of their commitment to defending victims of sexual violence.

In 2007, seven women leaders were raped for the act of taking victims to a hospital. This is a way to frighten and intimidate in order to prevent victims from receiving medical care and reporting cases.

In 2008, the number of threats and direct attacks increased.
Some examples:

- An activist from the women workers' trade union of Butembo and a journalist of the RTNC of Butembo escaped death after her aggressors shot one member of her family who was paying a visit to her home on 6 October 2007.

- A leader of a women's rights organisation based in Beni and Bunia, received death threats in March 2008 – and is still threatened – by an armed group while she was on an advocacy mission with the FIDH in Europe. Despite requests for urgent actions made by partners, the Congolese Government did not respond with any protective measures. This situation persists today.
- An activist with a women's rights organisation was attacked in the night between 7-8 November 2008 in Bunia by a group armed with rifles and machetes. They shot her in the ankle, cut off one of her hands, gashed her head with a machete and looted her house. They stole her portable computer and flash drives, claiming they contained reports that incriminated them. Despite the urgent appeal launched by her NGO and its partners, the Congolese Government has not responded.

Cases like these are too numerous to cite here. Resolution 1820 will soon mark its one-year anniversary, but despite the recommendations for the inclusion of measures addressing violence against women in the mandate of the peacekeeping mission, the situation worsens daily. Women are being raped even alongside the blue helmets!

We reaffirm the importance of the role that women can play in the prevention and resolution of conflicts as well as in peace-building, and we underline the importance of our equal participation in all efforts to maintain and promote peace and security according to UN Security Council Resolution 1325.

We express our deep concern for all the problems and persistent obstacles that prevent the full participation of women's rights activists in the initiatives for conflict prevention and resolution, as a result of the persistent violence, intimidation and discrimination, for the attacks and the threats which damage both our ability to participate and the quality of our participation in public life and conflict resolution.

In light of the above, we urge the Security Council delegation to remind the United Nations mission in the DRC (MONUC) of its mission to protect civilians, including women in general and women activists in particular, as they are even more vulnerable because of their work to promote women's rights and to denounce violence against women and girls in conflict or post-conflict situations, and to apply all of the provisions contained in Resolution 1820 to the perpetrators who remain unpunished.

We, women's rights activists of the DRC, ask members of the UN Security Council to remind the Congolese authorities and all parties to the conflict in the DRC, that they have a duty to protect human rights activists, in particular women activists who are increasingly subjected to attacks and threats, in accordance with UN General Assembly Resolution 53/144 on the Protection of Human Rights Activists.

We remind members of the UN Security Council of Paragraph 5 of Security Council Resolution 1325, which underscores 'the important role of women in the prevention and resolution of conflicts and in peace-building, and stress[es] the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security and the need to increase their role in decision-making with regard to conflict prevention and resolution'.

We ask the UN Security Council to stress to the Congolese Government that it must get involved in the protection of women's rights activists.

We ask the different diplomatic missions to offer, in accordance with their mandate, support and protection to women's rights activists and to monitor the cases reported.

Declaration signed by

- Cadre permanent de concertation de la femme congolaise (CAFCO)
- Groupe des Associations d'Appui au Développement et à la Participation Populaire (CENADEP)
- Solidarité Féminine pour la Paix et le Développement Intégral (SOFEPADI)
- Syndicat des Femmes Travailleuses (SYFET)
- Réseau National pour le Développement de la Femme (RENADEF)
- Women's Initiatives for Gender Justice
- Antenne de formation à distance (AFAD/RENADEF)

Open Letter to the Secretary-General of the United Nations

17 June 2009

H.E. Mr Ban Ki-moon
Secretary-General of the United Nations
United Nations
Room S-3800
NY, NY 10017

Dear Secretary-General Ban Ki-moon,

We write to you regarding the preparation of your report on Security Council Resolution 1820¹ addressing sexual violence against women in armed conflicts and ending impunity for these crimes.

The Women's Initiatives for Gender Justice works with women most affected by armed conflicts and advocates for the International Criminal Court (ICC) to investigate and prosecute gender-based crimes where there is evidence of such crimes, in each situation under its investigation.

Since 2004 we have been actively engaged in the pursuit of justice, accountability for sexualised and other violence in each of the situations before the ICC, specifically Northern Uganda, the Democratic Republic of

1 S/Res/1820 (2008), United Nations Security Council, 5916th meeting, 19 June 2008.

the Congo (DRC), Darfur and the Central African Republic (CAR). In addition, for the past two years we have been closely involved in the peace talks and ongoing process regarding Northern Uganda and more recently we have become engaged in peace-related activities in eastern DRC.

At this time we wish to draw your attention, and that of the Security Council, to the implementation challenges regarding Resolution 1820, in particular the absence of its application and that of Resolution 1325², within UN-sponsored peace talks and related agreements.

Specifically we refer you to the Peace Agreement between the Government of the DRC and le Congrès National pour la Défense du Peuple militia (CNDP)³, signed 23 March 2009.

Security Council Resolution 1325

As you well know, Resolution 1325 recognises the important role of women in the prevention and resolution of conflicts and in peace-building, and stresses the importance of their participation and full involvement in all efforts for the maintenance and promotion of peace and security.

Prior to the signing of the Peace Agreement between the Government of the DRC and the CNDP, there were several negotiations held in Nairobi and Goma, sponsored and cofacilitated by the United Nations and the African Union.

A small group of women's rights and peace activists from the Kivus, eastern DRC, travelled to Nairobi in 2008 to attend the first of such Peace Talks but were denied access to the building, discouraged from attending and ultimately excluded from the Talks. Between the 'Nairobi 1' and 'Nairobi 2' negotiation sessions, Congolese women held an impromptu meeting with the UN Co-facilitator of the Peace Talks, UN Special Envoy President Obasanjo, when he was visiting Goma as part of the peace process. This was not a prearranged meeting, but women upon hearing President Obasanjo was coming to Goma, decided to assemble at the airport in the hope of speaking with him. The President graciously allowed time in his schedule for this brief spontaneous meeting.

2 S/Res/1325/2000, United Nations Security Council, 4213th meeting, 31 October 2000.

3 National Congress for the Defence of the People.

A delegation of women from the Kivus went to Rwanda in September 2008, to urge the Rwandan Government to support an end to the conflict in eastern DRC. Similarly, in December women also met with a representative of the CNDP urging them to stay committed to the peace talks and to sign the Peace Agreement.

Despite these efforts, women were excluded from having access to the formal peace process, the negotiations, the principal delegations, and the draft texts under consideration. In what appears to be a direct contradiction of Resolution 1325, women were not engaged as participants, decision-makers or peace-builders.

Security Council Resolution 1820

Security Council Resolution 1820, passed in 2008, addresses amongst other issues the importance of ending impunity for those who have committed crimes of sexual violence during armed conflict.

While everyone welcomes the demobilisation of the CNDP, the Peace Agreement between the Government of the DRC and the CNDP is in some respects highly unsatisfactory, specifically in the following areas:

- The promulgation of an amnesty law from June 2003 to the date of its enactment;
- The integration of members of the CNDP police and armed units into the Congolese National Police and Armed Forces respectively, with recognition of the ranks of former CNDP members.

Amnesty Provision

Article 3 of the Agreement outlines the Amnesty provision and states that the Government will 'enact a law of amnesty for the period June 2003 to the date of its enactment in accordance with international law'.⁴ This article also notes that the CNDP has 'expressed concerns over certain provisions of the bill already enacted by the National Assembly which it views as restricting the grounds for amnesty'.⁵ As it currently stands it is possible the Amnesty

4 Clause 3.1. Peace Agreement between the Government and the National Congress for the Defence of the People, 23 March 2009.

5 Clause 3.3. Peace Agreement between the Government and the National Congress for the Defence of the People, 23 March 2009.

clause could exempt perpetrators of gender-based crimes from being held accountable for these acts.

The provisions outlined in Article 3 do not provide assurances that crimes of sexual violence will be excluded from the grounds accepted for amnesty. With the absence of explicit statements in the Principal Agreement regarding gender-based violence it is therefore required that this issue be addressed at the 'implementation' stage of the Agreement, for which we advocate direct and vigilant oversight by a United Nations team. Such a team should be inclusive of personnel with expertise in gender issues and sexualised violence, preferably in the context of armed conflicts.

Integration of Militia into State Security Forces

The provisions relating to the integration of the CNDP into the Congolese police and armed forces are also extremely concerning. Provision 5.5 of the Agreement indicates that a 'special police unit' will be formed 'arising out of the process of integrating the CNDP policemen into the Congolese National Police'. The role of this special police unit will be to ensure 'the security of refugees and displaced people returning home'. As such, some of those initially responsible for creating the conditions, instigating the attacks and destroying the homes and villages which led to the widespread displacement of the civilian population, will now be involved, under the terms of the Agreement, in assisting IDPs to return to their former homes. The security issues, the vulnerability of IDPs in this process, and the 'perpetrators' now assuming a legitimate state role, adds to the weight of injustice experienced by communities in eastern DRC.

Resolution 1820 requires that all parties to armed conflicts take measures to protect civilians including women and girls from all forms of sexual violence including 'vetting armed and security forces to take into account past actions of rape and other forms of sexual violence'.⁶ The Peace Agreement includes several provisions which relate to the integration of the CNDP police and militia into the Congolese Army (the FARDC) but does not state any policy or mechanism to 'vet' those being integrated regarding the possible past commission of crimes of sexual violence. The absence of provisions for a vetting mechanism, and the lack of requirement for formal training of CNDP police and soldiers prior to integration, raises considerable concerns. In particular, these concerns relate to the possible perpetration of gender-based

6 O.P 3. Resolution 1820.

crimes in the future by those who have previously committed such acts, and the absence of accountability for their past commission. Such oversights in the Principal Agreement must now be addressed at the implementation phase.

It is our view that the United Nations has the responsibility for not only the peace process and the Agreement so produced, but that it also has a 'monitoring' responsibility, as a cosponsoring party, to ensure implementation of the Agreement in accordance with international law and Security Council Resolutions.

Leadership and Recommendations

Mr Secretary-General, we raise these issues at this time cognisant of your current work preparing a Report for the Security Council on Resolution 1820.

A review conducted by UNIFEM⁷ in April 2009, of a sample of 21 major peace negotiations since 1992, indicates that only 2.4% of signatories to the peace agreements reviewed were women and that no women had been appointed as Chief Mediators to any of these negotiations. Most strikingly, no women have ever been appointed as Chief Mediators in UN-sponsored peace talks.

It is our conviction that the United Nations and the Security Council in particular, has a responsibility to ensure the following:

- That the mandate provided to UN-appointed Mediators and Special Envoys for peace talks include an explicit requirement for the appointees to ensure and demonstrate implementation of Resolutions 1325 and 1820 in the commission of their duties;
- That the UN implements O.P 3 of Resolution 1325 regarding the appointment of 'more women as special representatives and envoys'. Towards the achievement of this goal we propose that the UN establishes gender benchmarks for the appointment of Chief Mediators to UN-sponsored peace talks. Such benchmarks could consider a 'gender range' such as no less than 45% and no more than 55% of individuals of either gender are appointed as Chief Mediators or Special Envoys for peace processes over a two-year cycle;

7 *Women's Participation in Peace Negotiations: Connections between Presence and Influence*, UNIFEM, April 2009.

- That the *process* of peace talks is conducted in accordance with the Security Council Resolutions including, but not limited to, Resolution 1325;
- That the Peace Agreements and outcomes of such processes are in accordance with international law and Security Council Resolutions including, but not limited to, Resolution 1820; and
- That the activities, outcomes and establishment of national mechanisms and bodies formed to implement UN-sponsored Peace Agreements are in accordance with international law and Security Council Resolutions.

Consistent leadership and direct implementation of Resolutions 1325 and 1820 are required if the brokering of peace is to achieve justice for women, reconciliation for communities, and peace for all.

Sincerely,



Brigid Inder
Executive Director
Women's Initiatives for Gender Justice

Supported by 65 NGOs from eastern DRC
representing over 180 Congolese organisations

Signatories to the Open Letter

- | | | | |
|----|--|----|--|
| 1 | ESSAIM | 42 | Associations des Mamans Unies pour le Développement (AMIDE) |
| 2 | Association des Femmes pour le Progrès Social et Culturel (AFPSC) | 43 | Groupe d'Action et d'Appui pour un Développement Endogène (GRAADE) |
| 3 | Centre d'Education et de Recherche pour les Droites des Femmes (CERDF) | 44 | Association de Coopératives de Nyabiondo (ACOPANYA) |
| 4 | Groupe des Associations de Défense des Droits de l'Homme et de la Paix (GADHOP) | 45 | Réveil des Femmes pour le Développement Intégrée (RFEDI) |
| 5 | Observatoire de la Parité en RDC | 46 | Association pour la Promotion Familiale et le Développement |
| 6 | Groupe des Associations d'Appui au Développement et à la Participation Populaire (CENADEP) | 47 | Fondation des Veuves Musulmanes pour la Charité (FVMC) |
| 7 | SAUTI YA MAMA MUKONGOMANI – Masisi, Rutshuru, Pinga, Kitshanga, Kanyabayonga, Walikale | 48 | Syndicat des Femmes Travailleuses |
| 8 | AFEPANOKI | 49 | UCOOFABEL /LOFEPACO |
| 9 | Centre DORIKA | 50 | Comité de Barazades – Femmes de la Ville de Beni |
| 10 | MUMALUKU – Kirumba | 51 | Solidarité |
| 11 | Plateforme de Femmes du Nord Kivu pour un Développement Endogène (PFNDE) | 52 | Habitantes de la Commune de Rwanguba |
| 12 | Initiatives des Femmes en Situations Difficiles pour le Développement Intégré (IFESIDI – Bukavu) | 53 | Soc. Civile Ituri |
| 13 | Action Sociale pour la Paix et le Développement (ASPD) | 54 | AFI |
| 14 | Synergie des Femmes Contre les Violences Sexuelles (SFVS) | 55 | Assoc. Ituri |
| 15 | Initiative Congolais pour la Justice et la Paix (ICJP) | 56 | FOMILARV |
| 16 | Coalition Congolaise pour la Justice Traditionnelle | 57 | APPROSARE |
| 17 | ADDF | 58 | OFEP |
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| 19 | Espoir Après Viol et Abandon (EVA) | 60 | FOMI |
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| 24 | FFP | 65 | CAFCO |
| 25 | PPSSP | | |
| 26 | AMACCO | | |
| 27 | CEVOSA | | |
| 28 | UFAP – Beni | | |
| 29 | FJDF | | |
| 30 | AFAPRO | | |
| 31 | Genre et Enfant | | |
| 32 | AFNAC | | |
| 33 | ONC | | |
| 34 | ADDF – Beni | | |
| 35 | CAF – ANIC | | |
| 36 | CVDH – Beni | | |
| 37 | EP – Beni | | |
| 38 | Association des Femmes pour le Progrès Social et Culturel (AFPSC) | | |
| 39 | Centre d'Encadrement en Art Culinaire (EAC) | | |
| 40 | Africa Justice Peace and Development (AJPD) | | |
| 41 | Action pour le Désenclavements des Milieux Rurales (ADEMIR) | | |



Central African Republic



Declaration by Women Leaders, Victims and Human Rights Activists

Bangui, Central African Republic

5 November 2009

We, women leaders, activists and victims of the military and political crises in the Central African Republic (CAR), gathered at a training seminar organised by OCODEFAD (*Organisation pour la Compassion et le Développement des Familles en Détresse*) in partnership with the Women's Initiatives for Gender Justice and held in Bangui from 2–5 November 2009 at the Bangui Rock Club, in light of the precariousness in which women victims are living, declare the following:

- In view of the lack of assistance provided to victims during and after the events of 2003 in the CAR;
- In view of the stigmatisation of victims infected by HIV/AIDS;
- In view of the partial implementation of Resolutions 1325 and 1820 signed by the CAR;
- In view of the lack of existing laws for the protection of women in the CAR;

- In view on the lack of enforcement of the recommendations resulting from the Inclusive Political Dialogue in favor of all the victims of politico-military events which have occurred in the CAR;
- In view of the complexity and the delay in the ICC proceedings against Jean-Pierre Bemba;
- In view of the grave inherent risks for victims and testifying witnesses associated with the possible interim release of Jean-Pierre Bemba;
- In view of the high rate of illiteracy among women;

We recommend

- Providing immediate assistance to victims of conflict at all levels;
- The application without reservation of resolutions pertaining to the participation of women in decision-making and protection proceedings;
- The scrupulous respect of the recommendations concerning victims that emerged from the inclusive political dialogue;
- The continuous detention of Jean-Pierre Bemba until the end of the proceedings;
- The implementation of a training program for women leaders to educate victims and increase their awareness;
- The permanent organisation of training workshops to build the capacity of women leaders;
- The establishment of a truth and reconciliation commission and a transitional justice mechanism.

Statement from *Women, Peace, Justice, Power Workshop*

Workshop organised by the Women's Initiatives for Gender Justice and Organisation pour la Compassion et le Développement des Familles en Détresse (OCODEFAD), held in Bangui, Central African Republic, 2–5 November 2009

6 November 2009

The Women's Initiatives for Gender Justice issues this statement in support of the *Declaration*¹ released on 5 November 2009 by participants at the *Women, Peace, Justice, Power* workshop organised by OCODEFAD and the Women's Initiatives for Gender Justice.

Women's and human rights advocates and victim/survivor activists, gathered in Bangui for the workshop on *Women, Peace, Justice, Power*, are reclaiming their rights and humanity and express a deep desire for justice and accountability.

During the events of 2002 and 2003 the people of the Central African Republic (CAR) suffered terrible acts of violence and horrific crimes. Children, women and men were violated and raped. Streets were overrun with people and homes were invaded by armed militias who raped, killed, tortured and humiliated their victims.

1 *Declaration of Women Leaders, Victims, and Human Rights Activists of the Central African Republic*

Thousands of women were raped. They went from house to house killing, torturing and raping everyone they found.

During the *Women, Peace, Justice, Power* workshop, participants talked about some of the consequences of rape for women, many of whom were subsequently rejected by their families and husbands, and ostracised by their communities. Some women gave birth to children and many contracted HIV/AIDS as a result of the rape. Many continue to experience medical complications and psychological pain.

Women activists told us that their country has not been the same since the events of 2002 and 2003. Violence against women and children now occurs on a daily basis with impunity and without the national security services having the means and training to protect and assist the citizens of their country.

Victims face discrimination, displacement, and loss of means of survival. Thousands of people were mutilated during the attacks and are living with serious injuries. Survivors are traumatised by the horrors and acts that occurred and many have already died of AIDS and/or poverty.

The Women of CAR voiced their concern and fear about the possible release of Jean-Pierre Bemba,² President and Commander-in-Chief of the *Mouvement de Liberation* (MLC). Activists reported being subjected to threats because they wanted accountability for those responsible for the atrocities. They talked about how they live side by side with the people who committed these crimes and who assisted Bemba and other senior perpetrators. Victims reported regular harassment by his supporters who visit their homes, follow them and stop them on the street armed with guns. They threaten their children, harass family members, attack their property, leave frightening messages on their mobile phones and try to discourage them from rebuilding their lives and seeking justice.

2 On 14 August 2009, Pre-Trial Chamber II issued a decision (ICC-01/05-01/08-475) granting Jean-Pierre Bemba's fourth request for interim release, after denying his previous three requests. The Prosecutor appealed this decision. On 2 December 2009, the Appeals Chamber issued a judgement (ICC-01/05-01/08-631) reversing the Pre-Trial Chamber's decision granting Bemba's interim release based on errors of fact.

Women at the workshop asked, ‘How could anyone consider releasing this man?’ and expressed their concern that, should Bemba be released, those supporting him could assist him in threatening victims and potential witnesses to intimidate them from testifying against him. They pointed to his wealth and strong network of friends and contacts in Africa, Europe, and around the world. Participants were also concerned by the message this would send to other perpetrators wanted by the ICC, such as Joseph Kony who is now operating in CAR.

‘If the ICC releases Bemba, perpetrators will continue to attack, kill and rape with impunity. They will think they have nothing to fear and no reason to stop their crimes.’

Victims said they are confused about why the Court would even consider the release of the only person currently in custody for the terrible crimes committed in CAR in 2002 and 2003. They voiced particular concern for their safety given Bemba was arrested because of the demands of women and victims calling for justice and accountability.

The participants of the *Women, Peace, Justice, Power* workshop, OCODEFAD and the Women’s Initiatives for Gender Justice state the following to the International Criminal Court (ICC), the Government of the Central African Republic and the United Nations and the international community.

To the International Criminal Court

- We demand accountability and call on the ICC to act expeditiously and bring those responsible for atrocities in CAR to justice as quickly as possible;
- We strongly oppose any provisional release of Jean-Pierre Bemba and call for his trial to begin;
- We are disappointed that some of the charges for gender-based crimes were not confirmed by the Judges and urge the prosecution to bring additional evidence for these charges to be reinstated;

- We want the ICC to assist CAR victims with the protection they need to be able to participate in the justice process; and
- We want the ICC to open new investigations against the LRA for their attacks in eastern CAR including their commission of murder, abduction, pillaging, torture, rape and enslavement, particularly of children and young women and men.

To the Government of the Central African Republic

- We demand the implementation of the resolution for victims negotiated during the Inclusive Political Dialogue promising protection, funding to respond to urgent psycho-social and material needs, and reparations to enable lives and communities to be rebuilt;
- We call for psychological, medical, and financial assistance for victims/survivors and their protection from ongoing intimidation and harassment;
- We call for hospitals, schools and trauma centres for victims/survivors and support for residential programmes for orphans;
- We demand that more women be appointed to ministries and to senior posts within the Government and to have access to decision-making structures within the country;
- We oppose gender discrimination in the workplace;
- We loudly oppose the actions of men and the law of the CAR which allows husbands to rape their wives with impunity;
- We call for a reform of the law and practices regarding inheritance to ensure women can directly inherit the goods and property of their husbands upon their death;
- We want the laws which address gender equality to be passed and enforced to advance the status of women in the CAR.

To the United Nations and the international community, we call on you to

- Assist the country with safe, free and fair elections in 2010;
- Work with the Government of the CAR to assist with the protection for victims, women and the most vulnerable communities;
- Assist the Government of the CAR to enforce the resolutions and terms of the Inclusive Dialogue and to establish the rule of law and transparent security and judicial systems which have the confidence of the population;
- Ensure implementation of United Nations Security Council Resolutions 1820, 1325 and 1379;
- Provide financial assistance and support to allow women to participate in elections as candidates, political figures and voters with a stake in the governance and development of our country; and
- Support a Truth and Reconciliation Commission within CAR to facilitate ongoing reconciliation and sustainable peace alongside the judicial processes through the ICC.

Women's Memorandum on Justice and Peace in the Central African Republic

Organisation pour la Compassion et le Développement des Familles
en Détresse (OCODEFAD)

November 2009

We, the Women from the Central African Republic, are deeply concerned by the forms of violence, and in particular by the discriminatory effects of armed conflict to which the girls and women of Central Africa have been subjected for more than ten years.

These barbaric acts affect women at all levels:

- rape;
- genital mutilation;
- rape used as a weapon of war;
- sexual violence;
- forced marriage;
- food deprivation; and
- torture.

To solve these crucial problems, the UN Security Council successively adopted Resolution 1325 of 31 October 2000 and Resolution 1820 of 19 June 2008.

These Resolutions require the states to ensure that women are increasingly represented at all decision-making levels as follows:

- Encourages the Secretary-General to implement his strategic plan of action (A/49/587) calling for an increase in the participation of women at decision-making levels in conflict resolution and peace processes;
- Demands that all parties to armed conflict immediately take appropriate measures to protect civilians, including women and girls, from all forms of sexual violence;
- Notes that rape and other forms of sexual violence can constitute a war crime, a crime against humanity, or a constitutive act of genocide;
- Stresses the need for the exclusion of sexual violence crimes from amnesty provisions in the context of conflict resolution processes, and calls upon Member States to comply with their obligations for prosecuting persons responsible for such acts, to ensure that all victims of sexual violence, particularly women and girls, have equal protection under the law and equal access to justice, and stresses the importance of ending impunity for such acts as part of a comprehensive approach to seeking sustainable peace, justice, truth, and national reconciliation.

During the intervention of the armed militias of Jean-Pierre Bemba in Central Africa at the side of Ange-Félix Patassé, many girls and women of Central Africa were the victims of rape and sexual violence amounting to war crimes and crimes against humanity.

OCODEFAD supports the actions taken by the Prosecutor of the International Criminal Court against Jean-Pierre Bemba and the other co-perpetrators of war crimes and crimes against humanity, and it is strongly opposed to the interim release of Jean-Pierre Bemba to ensure he is not in a position to weaken the proceedings against him.



Uganda



Open Letter to the President of the Republic of Uganda and the Leader of the Lord's Resistance Army

Greater North Women's Voices for Peace Network, Uganda
Women's Initiatives for Gender Justice

10 March 2009

Dear Excellency, President Museveni and General Kony,

We, the women from the Greater North of Uganda, national and international women's organisations welcome your efforts for peace, in particular your engagement in the most recent peace process.

As you know the people of the Greater North have suffered in this conflict. Over one million of us have been displaced from our homes, much violence and brutality has occurred, we have not been able to farm our land, grow our crops, we have not been able to educate our children, we have not seen development and progress in the Greater North because of this conflict. There has been widespread violence including sexual violence committed against women predominantly by the LRA, but also by the UPDF and others. Our communities have disintegrated from within due to the pressure of our collective poverty, suffering and lack of justice.

We would like to congratulate you both, for your leadership in guiding your respective delegations during the most recent Peace Talks process. As you know, women from the Greater North were very active in this process, particularly since the negotiations on Agenda Item 3 on Accountability and Reconciliation. As women's rights and peace activists, as mothers, as women who have lost family members in this conflict and who have been harmed ourselves, we participated in the Government Consultations and the Consultations held by the LRA/M in 2007 to put forward our views, demands and desires regarding peace, accountability and reconciliation. We participated in the resumed Peace Talks from January-March 2008. We have encouraged both parties to negotiate, to find a way forward, to stay committed to the ending of the conflict and to accountability.

In April we went to Rik-wang-Ba for the signing of the final peace agreement but our hopes were dashed when General Kony did not sign. We have been disappointed many times since then as the final agreement remains unresolved.

We are very concerned by the military offensive against the LRA launched in December 2008 by the Governments of Uganda, the DRC and southern Sudan. We are concerned by the reports of loss of life within the LRA especially of those who were themselves abducted into the militia group. We are in solidarity with the loss of innocent lives in the attacks within the DRC and southern Sudan since the offensive was launched. We are also in solidarity with all women and communities affected by conflicts especially in the Great Lakes region.

We are not convinced every effort was made during 2008 by the Government, the Mediation Team, the United Nations, the LRA, the donors and the international community to secure a peaceful resolution. Specifically we note the absence of the necessary political will and determination to complete the peace process which we found to be inexplicable given the negotiations were finalised and the resources available for this process were significant. We also note that the conflict does not seem any closer to ending as a result of the current military action.

Our message to you as women from the Greater North is that we want peace – peace with reconciliation; peace with truth-telling; peace with forgiveness; peace with justice; peace to harmonise and restore our communities.

Mr President and General Kony, as Leaders in this conflict we call upon you both to establish an immediate ceasefire with the following requirements:

- 1 **That the LRA** is provided with safe passage to immediately assemble in the designated area in the Rik-wang-Ba National Park as outlined in the peace agreements;
- 2 **That the LRA** release women and children from their group;
- 3 **That the Government** of Uganda work closely with the United Nations and other international agencies in preparation for the return of the women and children from the LRA to ensure their safety, the provision of treatment, assessment and adequate medical and psychological support, and their ultimate return to their communities. The engagement of women, traditional and religious leaders in this process is also vital;
- 4 **That the final peace agreement** between the Government of Uganda and the LRA is signed.

This letter is supported by 250 local and national Ugandan NGOs along with organisations from the Democratic Republic of the Congo, Sudan, the Central African Republic and international networks and organisations around the world.

Sincerely,

*Greater North Women's Voices for Peace Network, Uganda
Women's Initiatives for Gender Justice*

10 March 2009

Signatories to the Open Letter

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| 1 Greater North Women's Voices for Peace Network, Uganda | 20 Boma North Female Youth Tailoring Group | 41 Lorengduat Women's Peace Group |
| 2 Women's Initiatives for Gender Justice | 21 Apiri Women in Development | 42 Kimaumau Women's Peace Group, Iriir sub county |
| 3 Ugandan National NGO Forum (membership of over 360 NGOs) | 22 Agurut Aigesigesitoi Widow Group | 43 Nakamilit Women's Group |
| 4 Survivor Corps, Uganda | 23 Kumi Women's Peace Initiatives for Development | 44 Iriir Mother's Union Group |
| 5 Kitgum Women's Peace Initiatives (KIWEPI) | 24 Teso, Karamoja Women Initiatives for Peace | 45 Matany Women's Health Group |
| 6 Kitgum Concerned Women Association | 25 Lokinyinyir Women's Group | 46 Lotimong Women's Group, Lopei sub-county |
| 7 Teso Women Peace Activists (TEPPA) | 26 Lokiderider Women's Group | 47 Lokopo Women's Peace Group |
| 8 Kitonyounai Women Peace Group | 27 Nakerei Women's Group | 48 Matany TBS Women's Group (deals with HIV/AIDS) |
| 9 Mother's Union Lango Diocese | 28 Abim Mother's Union | 49 Uganda Girl Guides Association, Kumi |
| 10 Lango Female Clan Leaders | 29 Apurwonpit Women's Group | 50 Ongino Women in Development Initiatives |
| 11 National Association of Women Association of Uganda (NAWOU), Lira | 30 Cidkwok Women's Group | 51 Okouba Agro-Processors Women's Group |
| 12 Lira Women Peace Initiatives | 31 Aware-Uganda (Action and Awakening women in rural areas) | 52 Kumi Muslim Women's Association |
| 13 Lira Women Widows and Orphan Care | 32 Saint Monica Women's Group | 53 Uganda Women's Effort to Save Orphans, Kumi |
| 14 Ocock Can Women Association APAC | 33 Karamoja Rural Women Association (KARWA) | 54 Kumi Women in Development Sacco |
| 15 Catholic Women Guild, Lira Diocese | 34 Karenga Widows Association in Development | 55 Teso-Karamoja Women Initiatives for Peace |
| 16 Gulu Women for Peace, Reconciliation and Resettlement (GUWOPAR) | 35 Mandelo Women's Group | 56 Mother's Union, Kumi |
| 17 Teso Rehabilitation and Reconstruction Women in Development (TERREWODE) | 36 Nakapiripirit Catholic Church Women's Group | 57 Iteso Cultural Union |
| 18 Otingite- BA Women's Peace Group (KATAKWI) | 37 Kakamongole Mandela Women's Peace Group | 58 Kumi District Widows Association |
| 19 Totodwe Women's Group | 38 Namalu Women's Development Association (NAWODA) | 59 Kidongole Mother's Union |
| | 39 Lolacat Mother's Union Group | 60 Kolir Women Peace Promoters |
| | 40 Nabilatuk Mother's Union Group | 61 Kamatur Women's Peace Group |
| | | 62 Komomngomeri Women's Peace Group |

63 Aminit Women's Group	91 Amuka Construction	128 Paco Ripu Dano
64 Tajar Women's Group	92 Techenica Group	129 Cam Kiwedu Group
65 Prime Age Women Group	93 Cobra Group Ribe	130 Can Kelopekko Group
66 Grassroots Women Association for Development	94 Juakali Group	131 Can Rom Group
67 Cam Nono Ber Ki Winyo Women Group	95 Good Samaritan	132 Can Pe Tum Group
68 Nen Ayim Women Organisation	96 In Need Northern Youth Group	133 Timkikomi
69 Empowering Hands	97 Ber Iywe Group	134 Watute Group
70 Kwo Lonyo Women Group	98 Kaka Nyero Group	135 Can Odiya Group
71 Can Pe Rom Widows Group	99 Nyeko Rac Group	136 Ribe Ber
72 Old Age	100 Lango Cultural Group	137 Kwo Ki Lawoti
73 Tegot Development Association	101 Akonyi Ki Bedo Group	138 Ribe Ayeteko
74 Ribbe Ber Saccocs Group	102 Mami Sport Group	139 Sallon Group
75 Wil Layibi Community	103 Trinity Group	140 Kuwe Group
76 Women for Development	104 Kony Peko Group	141 Latic Omyero
77 Women Economic Empowerment	105 Peko Rom Group	142 Atimaang Group
78 Gulu Women Tailor Association	106 Business Group	143 Cam- Kilawoti Group
79 Layibi Women Housing Association	107 Pimewa Group	144 Mina Women's Group
80 Ma Lubanga Omiyo Women Group	108 Tem Ki Kom Group	145 Pit Ondong Ki Mon Women's Group
81 Gulu Women Fish Monger Association	109 Awara Awara Group	146 Rubanga Aye Miyo Group
82 Mak Matic Women Network	110 Docus Widows Group	147 Sudanese Women Empowerment for Peace (SuWEP)
83 Lacankwite Women Group	111 Good Samaritan Ministry	148 Salmmah Women's Resource Centre
84 Tailoring Group	112 Pi Tek Awaro Women's Group	149 The Gender Centre for Research and Training
85 Acholi Cultural Foundation	113 Pe Nonge Labedo Women's Group	150 SEEMA Center for Training and Protection of Women and Child's Rights
86 Women's Fellowship Fund Guide Group	114 Uganda Microfinance Organisation	151 Women Empowerment for Peace & Development
87 Ushindi Women Group Kisugu	115 Kitgum Women Association	152 The Family and Child Friends Organization
88 Mercy Group	116 Gulu Dairy Farmer's Association	153 Al-Khatim Adlan Centre for Enlightenment and Human Development
89 Tute Keni Group	117 Lamogi Women's Leaders Association	154 Darfur Bar Association
90 United Brick Construction	118 Paimol Women Dancers Group	155 Teacher First for Training & Research (ALAM)
	119 Te Got Development Association Koc Goma	156 Sudanese Center for Trade Union & Human Rights
	120 Lapono Women Cultural Group	157 Agri Peace for Development
	121 Gulu Vendors Women's Group	
	122 Kainkono Boda Boda Cyclists	
	123 Pur Ber Group	
	124 Awaru Group	
	125 Charcoal Department	
	126 Rib Rok	
	127 Odomit Group	

Open Letter to the President of Uganda and the Leader of the LRA

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| 158 Someit for Peace and Human Rights | 181 Global Centre for Women's Leadership | 203 Seguridad en Democracia SEDEM |
| 159 Vigilance for Development | 182 femLINKpacific: Media Initiatives for Women | 204 Oficina de Derechos Humanos del Arzobispado de Guatemala (ODHAG) |
| 160 Sudanese Monitoring for Human Rights | 183 Rwanda Association of University Women | 205 Actions des Femmes pour les Droits et le Développement (AFD) |
| 161 Sudan Liberation Movement SLM/ Women Bureau, France | 184 Global Justice Centre | 206 Association des Femmes pour la promotion et le Développement Endogène (AFPDE) |
| 162 Sudanese Studies Center | 185 JASS | 207 Association de lutte pour la promotion et la défense des Droits de la Femme et de l'Enfant (ALUDROF) |
| 163 Khartoum Center for Human Rights & Environmental Development | 186 CREA | 208 Association pour la Défense des Droits des Femmes (ADDF) |
| 164 Skills Development Society | 187 Association for Progressive Communications Women's Networking Support Programme | 209 Solidarité des Femmes en Difficultés (SOFED) |
| 165 Alg Press and Media Center | 188 Women's International League for Peace and Freedom | 210 Aide aux Femmes victimes des conflits Armés (AFEVICA) |
| 166 Sudanese Development Association | 189 Nobel Women's Initiative | 211 Promotion des Droits de l'Enfant et de la Femmes (PRODEF) |
| 167 Environmentalist Society | 190 International Women's Tribune Centre | 212 Femmes unies pour la charité et le bien être communautaire (FUCBC) femmes Large unions de femmes pour le Développement (LUFED) |
| 168 Sudanese Organization for Research and Development (SORD) | 191 Women's Action for Change, Fiji | 213 Fédération des Femmes pour la paix et le Développement (FEPADÉ) |
| 169 Zenab for Women Development | 192 Centre for International Governance and Justice, Australian National University | 214 Centre pour l'Éducation Animation et Défense de Droits de l'homme (CEADHO) |
| 170 Peace Bridge Association | 193 La Cuerda | 215 Groupe de Réflexion et d'Actions pour les Initiative des femmes et l'autopromotion (GRAIFA) |
| 171 National Democratic Alliance | 194 Agenda Feminista | |
| 172 Sudanese Youth Development Association | 195 Unión Nacional de Mujeres de Guatemala (UNAMG) Sector de Mujeres | |
| 173 Shams Association for Development | 196 Lesbiradas | |
| 174 Friends of Children Society | 197 Fundación Myrna Mack | |
| 175 Music for All | 198 Colectivo Ecologista Madreselva | |
| 176 Omelhuda Women for Peace & Development | 199 Grupo de Apoyo Mutuo | |
| 177 Asmaa Association | 200 Coordinadora Nacional de Viudas de Guatemala (CONAVIGUA) | |
| 178 Amel Center | 201 HIJOS | |
| 179 Coexistence & Development Organization | 202 Centro de Acción Legal para la defensa de los Derechos Humanos (CALDH) | |
| 180 Corporacion Humanas | | |

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| 216 Fondation Femme plus (FFP) | 240 EFIM, Goma |
| 217 Association des Juristes du Sud-Kivu (AJUSKI) | 241 CERDF, Kisangani |
| 218 Charité pour tous | 242 AFPDI |
| 219 Association des mamans Chrétiennes aux secours des vulnérables (AMCAV) | 243 NDJF |
| 220 Dynamique pour la solidarité des Femmes (DSF) | 244 RAF, Kinshasa |
| 221 Cadre de concertation pour les Actions de paix (CCAP) | 245 Ouvrier du Monde, Bukavu |
| 222 Initiative des Femmes pour le Développement l'Autopromotion et la paix (IFDAP) | 246 EFIMEAC |
| 223 Centre d'Etude et de promotion des Femmes (CEPROF) | 247 AFEPANOKI |
| 224 Solidarité Echange pour le développement Intégral (SEDI) | 248 Coalition Congolaise pour la Justice Transitionnelle |
| 225 Une Femmes qui en soulève une autre (FESA) | 249 Organisation pour la Compassion et le Développement des Familles en Détresse (OCODEFAD), CAR |
| 226 Solidarité et paix pour le Développement Intégré (SOFEPADI) | 250 Mouvement pour la Défense des Droits de l'Homme et l'Action Humanitaire (MDDH) |
| 227 Centre d'Encadrement des Femmes Enfant désertés pour l'Auto promotion (CEFEDA) | |
| 228 SOFEPADI, Beni | |
| 229 CAF, Beni | |
| 230 FJDF, Butembo | |
| 231 EVA, Butembo | |
| 232 SOFEPADI, Bunia | |
| 233 FOMI, Bunia | |
| 234 PAPHY, Bunia | |
| 235 ASSOMARPI, Bunia | |
| 236 Caucus, Bukavu | |
| 237 SFVS, Goma | |
| 238 Termitière, Kalemie | |
| 239 SAFI, Maniema | |