

A young boy is sitting on a large wooden log, looking towards the right. He is holding a small green plant in his right hand. The background shows a large, partially destroyed wooden structure, possibly a school building, with many missing planks and a lattice-like roof. The scene is set outdoors with some greenery visible in the distance.

EXECUTIVE SUMMARY

“ALL THAT I HAVE LOST”

Impact of Attacks on Education
for Women and Girls in Kasai Central Province
Democratic Republic of Congo



Global Coalition to **Protect** Education from **Attack**

This study is published by the **Global Coalition to Protect Education from Attack (GCPEA)**, which was formed in 2010 by organizations working in the fields of education in emergencies and conflict affected contexts, higher education, protection, and international human right and humanitarian law that were concerned about ongoing attack on educational institutions, their students, and staff in countries affected by conflict and insecurity. GCPEA is a coalition that includes United Nations agencies and non-governmental organizations. GCPEA is a project of the Tides Center, a non-profit 501(c)(3) organization.

This report is the result of independent research conducted by GCPEA. It is independent of the individual members of the Coalition and does not necessarily reflect the views of the member organizations.

This report was written by Holly Cartner, gender project consultant for GCPEA, and was reviewed and supported by GCPEA staff, including Amy Kapit, Diya Nijhowne, Nevena Saykova, Gisela Schmidt-Martin, Chris Sfetsios, and Marika Tsolakis, as well as members of GCPEA's Gender Working Group, including Heather Barr, Sujata Bordoloi, Amanda Braga, Nora Fyles, Sana Jelassi, Caroline Keenan, Maleiha Malik, Garnett Russell, Amritpal Sandhu, Margaret Sinclair, and Emilie Rees Smith. The report, or segments of it, were also reviewed by Timo Mueller, Congo researcher for Human Rights Watch, and Bede Sheppard, deputy director of Human Rights Watch's Children's Rights Division.

ACKNOWLEDGMENTS

GCPEA would like to thank the many individuals who have contributed to this report, including representatives of Congolese non-governmental organizations, representatives of international humanitarian organizations working in Congo, and other experts.

GCPEA would especially like to thank Jasmine Katshunga of Réseau de Femme pour la Promotion de Droit de l'Enfant et de la Femme (REFEDEF) for her invaluable expertise and support during the field research in the Kasai region. Without her assistance, this report would not have been possible. GCPEA would also like to thank Constantin-Roland Ndambu for his assistance with the research and especially with the translation of interviews. Most importantly, GCPEA would like to express its sincere gratitude to the victims, witnesses, and education personnel who provided evidence and shared their experiences related to attacks on education.

Generous support for this report is provided by the Education Above All Foundation, Education Cannot Wait, and the NoVo Foundation. GCPEA is also grateful for support from an anonymous donor, and the Norwegian Ministry of Foreign Affairs.



I was engaged before, but after [my fiancé] heard I was raped, he never contacted me again. He never even called to ask me how I was... I always think about my studies and all that I have lost. I can't stop thinking about how those guys smelled and the way they fell on me. They smelled so awful. I can't stop thinking about it...

NOELLE A., A STUDENT WHO WAS RAPED DURING A MILITIA ATTACK ON HER SCHOOL

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April 2019

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Attacks on schools, most notably by the Kamuina Nsapu militia, as well as the Congolese army (*Forces armées de la République Démocratique du Congo, FARDC*), were a common feature of the conflict in the greater Kasai region of the Democratic Republic of Congo (Congo or DRC), which erupted in August 2016 and engulfed the area through much of 2017.

This report documents abuses that women and girls experienced when schools were attacked in the Kasais, focusing specifically on Kasai Central province, where the conflict originated and where the largest number of schools were attacked. The Global Coalition to Protect Education from Attack (GCPEA) conducted over 55 interviews with female students, principals and teachers who were present during the attacks.

This research is part of a multi-country study on the impact of attacks on education on women and girls, which GCPEA initiated because girls and women are affected differently by attacks on education and military use of schools and universities than boys and men and may require different responses to support their recovery and return to education. The research is intended to contribute to a better understanding of the long-term implications for girls and women and ultimately to inform better strategies for protecting girls and women, preventing abuse, and mitigating harm.

The Kasai conflict originated in the village of Kamuina Nsapu (in Dibaya territory in Kasai Central province) where a dispute over customary power between a local chief and the government escalated into a brutal armed conflict that spread rapidly throughout the region. The chief, who formed the Kamuina Nsapu militia, initially targeted primarily government institutions and those who worked for them. However, over time, and especially after the chief was killed by government forces in August 2016, the Kamuina Nsapu militia increasingly targeted other institutions that it considered symbols of government authority, including schools, health centers, and offices of the electoral commission, as well as those who worked for these institutions. It also carried out more and more attacks on civilians. In a little under one year, between August 2016 and June 2017, as many as 5,000 people were killed by brutal militia attacks and the response of government forces fighting the revolt.¹ At the peak of the crisis, over 1.4 million were internally displaced, including almost 600,000 children; at least 35,000 sought refuge in neighboring Angola.² By July 2018, the United Nations (UN) had confirmed 87 mass graves.³ After the



Survivors of attack on their primary school in Kazumba territory in December 2016.

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¹ The Regional Council of Non-Governmental Development Organisations (Le Conseil régional des organisations non gouvernementales de développement, CRONGD), “Kasai: An NGO collective counts more than 5000 killed and denounces the trivialization of the crisis, (Kasai: Un collectif d’ONG dénombre plus de 5000 tués et dénonce la banalisation de la crise,” July 5, 2017, <https://actualite.cd/2017/07/05/kasai-collectif-dong-dnombre-plus-de-5000-tues-denonce-banalisation-de-crise/> (accessed October 14, 2018).

² See OCHA, “Democratic Republic of Congo: Internally Displaced Persons and Returnees (as of 30 November 2017),” https://reliefweb.int/sites/reliefweb.int/files/resources/drc_factsheet_novembre_2017_en_1.pdf (January 11, 2019).

³ See HRC, “Interactive dialogue on the regular periodic update on DRC, Statement by Ms. Kate Gilmore, United Nations Deputy High Commissioner for Human Rights, 36th session of the Human Rights Council,” September 26, 2017, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22154&LangID=E> (accessed September 1, 2018).



initial escalation in violence, pro-government militias formed to fight the Kamuina Nsapu militia, allegedly with the support of government security forces.⁴

The conflict had a particularly devastating impact on children, who were widely recruited by the Kamuina Nsapu militia and disproportionately targeted by FARDC and the national police (*Police nationale congolaise*, PNC).

⁴ See Human Rights Council, “Statement of the High Commissioner to the Interactive dialogue on the Democratic Republic of the Congo, 35th session of the Human Rights Council,” June 20, 2017, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=21779&LangID=E> (September 1, 2018).



The children are told the broomsticks are magic and can protect them from enemy fire.

© Roland Leon Sunday Mirror, 2018



Recruitment into the Kamuina Nsapu militia

The Kamuina Nsapu militia engaged in the massive recruitment of children and youths. The United Nations Children’s Fund (UNICEF) estimated that several thousands of children were recruited and used in combat by Kamuina Nsapu and that at least 60 percent of militia members were children, often under the age of 15.⁵

Kamuina Nsapu recruited both adults and children, including girls, in many different settings, including in villages, from homes, and from the local market. As Kamuina Nsapu increasingly targeted schools, attacks on schools were sometimes also used as an opportunity to recruit children, including both boys and girls.

All recruits were required to participate in a ritual baptism, typically at a ceremonial fire (*tshiota*). The baptism was believed to offer the combatants protection and make them invulnerable to its enemies. As a result, many children went into combat against heavily armed government forces with only knives, machetes, and sometimes only so-called magical weapons such as sticks and brooms. Many of these children were reportedly under the influence of drugs or alcohol.⁶

Girls played an important role in the Kamuina Nsapu militia and were recruited specifically as the carriers of charms or fetishes—the protective magic—that the Kamuina Nsapu militia members believed would protect them during battle. These young girls, referred to as “*ya mamas*” (little mamas) were believed to be able to magically stop bullets by rustling their skirts, thereby sending the bullets back toward the soldiers who had shot at them. They were placed at the front of the militia units going into battle as human shields, often completely unarmed or armed only with a magical weapon such as a broom or kitchen utensil. While the number of girls who died in battle is unclear, several interviewees believed that girls were at greater risk of injury and death because of their position in front of other militia members during battles.

⁵ UNICEF, “Kasai: A Children’s Crisis,” https://www.unicef.org/publications/files/UNICEF_DRC_Kasai_Children_in_Crisis_2018.pdf, p. 20.

⁶ Human Rights Council, “Statement of the High Commissioner to the Interactive dialogue on the Democratic Republic of the Congo, 35th session of the Human Rights Council,” June 20, 2017, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=21779&LangID=E> (September 1, 2018).



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Sexual Violence During and After Attacks on Schools

Various abuses were committed against girls during attacks on schools and after they were abducted. GCPEA documented cases where Kamuina Nsapu militiamen raped female students and school staff when they attacked schools or when girls were fleeing a school attack. Although there is insufficient data on the number of cases of sexual violence perpetrated against school children and teachers during such attacks, GCPEA interviewed a number of students who reported having been raped or of knowing of other students and colleagues who had been raped during militia attacks on their schools. Similarly, most of the school principals interviewed by GCPEA reported dozens of girls having been raped during attacks on their schools.

GCPEA also received reports of girls who were taken from their school to the tshiota purportedly to become militia members but were instead subjected to rape and other sexual violence or forcibly “married” off to militia members. Some of the girls interviewed by GCPEA were told they had a choice of joining the militia or being raped, but others were raped after joining the militia. Still others were raped without any pretext of being recruited, although sexual violence is reportedly prohibited by Kamuina Nsapu ideology.

Abuses by FARDC Forces and the Bana Mura Militia

Government security forces in their response to the Kamuina Nsapu insurgency committed serious violations of international humanitarian law and human rights law. They unlawfully targeted civilians and committed large numbers of summary executions, rape and other abuses in the course of suppressing the militia. Armed forces attacked at least 38 schools in the Kasai region during this period.⁷ FARDC, as well as Kamuina Nsapu, also used schools for military purposes, thereby compromising the civilian status of the schools and making them a legitimate target of attack. Furthermore, such military use damaged and destroyed school buildings and supplies, that are often of poor quality and limited availability in the region, and thereby further interfered with students’ access to quality education.

As the conflict spread from Kasai Central province into neighboring Kasai province, pro-government militia groups were formed, reportedly with the support and funding of Congolese defense and security forces, to fight the Kamuina Nsapu.⁸ These groups, called Bana Mura, have also reportedly committed massive rape and held women and girls in sexual slavery in Kamonia territory (Kasai province). However, GCPEA did not receive information from survivors of school attacks or from international organizations working in the greater Kasais that these violations occurred in the context of attacks on schools, which is the focus of this report.

Long-Term Consequences of Attacks

Many students, both girls and boys, were unable to return to school after the conflict began to gradually subside in mid-2017, and a significant number appear to remain out of school at this writing. Although there is little concrete data on the numbers of children who were still out of school when the 2017-2018 school year started, many school principals indicated that when schools reopened in September 2017, there were significantly fewer students than had been registered the previous year and that this was particularly true for girls.

Interviewees told GCPEA that one of the main reasons that students remain out of school is due to their inability to pay school fees. While school fees and other educational costs prevented some children from going to school prior to the conflict, the financial impediments to schooling have increased as a result of the deaths of parents and the destruction of families’ homes, fields, animals, and other means of livelihood. Many girls, as well as

⁷ Information provided by a representative of a UN organization. GCPEA telephone interview, April 2, 2018, and follow-up emails.

⁸ See HRC, “Detailed Report of the Team of Experts,” para. 66. See also, for example, Nick Cumming-Bruce, “Congolese Militia Accused of Atrocities,” *New York Times*, June 20, 2017, <https://www.nytimes.com/2017/06/20/world/africa/democratic-republic-of-congo-bana-mura.html> (accessed January 3, 2019).



Girl whose primary school was attacked in Kazumba territory in December 2016, holding her daughter.

© Holly Cartner, October 2018

school principals, reported that when parents could not pay for all their children to attend school, they were more likely to prioritize their sons' education.

Parents were also reportedly more likely to keep their daughters than their sons home from school because of fears for their safety and especially their concerns about the risk of sexual violence. Even though the security situation had improved, principals and students reported that some parents would never send their daughters back to schools that had been attacked, especially if they knew girls had been raped there or raped after being abducted from the school.

Although there is little quantitative data that would allow for a comparison, many interviewed by GCPEA were convinced that early marriage had increased as a direct result of the conflict and its aftermath. Interviewees stressed that, as a result of the widespread sexual violence that had occurred in the region, parents were even more likely to marry their daughters early. Parents believed that marriage might provide their daughters with some protection, even though there was no indication that married women were spared sexual violence.

Female students who were victims of sexual violence, and many of those who joined the militia, now face severe stigma and social exclusion. For many, it is this rejection and ostracism by family and friends that is most painful. Virtually everyone interviewed by GCPEA reported that victims of rape would rarely return to school because of the shame they feel. Those who attempt to go back to school face terrible bullying and social exclusion.

Many of the girls and young women who were interviewed by GCPEA reported that they continue to have a range of gynecological problems such as sexually transmitted infections, abdominal pain, and numerous other symptoms that may be physical or psychological, as a result of sexual violence. Some also reported fertility problems, which they attributed to the sexual violence that they had suffered. Others became pregnant as a result of rape and are now dealing with unwanted pregnancies.

* * *

In recognition of the intensity of the violence and massive violations being reported in the Kasai region, the UN Human Rights Council appointed a Team of International Experts on the situation in the Kasai (hereinafter Team of Experts) in June 2017 to investigate the situation in the region.⁹ The Team of Experts issued its report at the 38th Session of the Human Rights Council in July 2018, concluding among other things that both the Kamuina Nsapu and Bana Mura militias, and the FARDC, had committed war crimes and crimes against humanity.¹⁰ The Team of Experts' mandate was renewed for another year in July 2018.

Security in the Kasai region has improved since the height of the conflict, and many displaced persons have returned to their homes.¹¹ However, the region remains an operational zone for the FARDC, and militias continue to carry out sporadic attacks. In January 2019, the UN peacekeeping forces, the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (MONUSCO¹²) reported continuing activity by Kamuina Nsapu and Bana Mura militias, including recruitment of children, as well as military operations by FARDC in areas of the Kasai region.¹³

⁹ UN Human Rights Council, "Technical assistance to the Democratic Republic of the Congo and accountability concerning the events in the Kasai regions," (June 22, 2017), A/HRC/RES/35/33, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/176/85/pdf/G1717685.pdf?OpenElement> (accessed November 12, 2018). See also Human Rights Watch, "Renewing and Expanding the Human Rights Council-Mandated Investigation Into Human Rights Violations and Abuses in the DR Congo's Kasai Region: Joint NGO letter to Permanent Representatives of Member and Observer States of the United Nations Human Rights Council," June 29, 2018, <https://www.hrw.org/news/2018/06/29/renewing-and-expanding-human-rights-council-mandated-investigation-human-rights> (accessed February 11, 2019).

¹⁰ UN Human Rights Council, "Situation in Kasai* Report of the United Nations High Commissioner for Human Rights," July 3, 2018, <http://undocs.org/A/HRC/38/31> (accessed August 10, 2018).

¹¹ OCHA, "Democratic Republic of Congo: 2018 Overview of Humanitarian Needs (2018 Aperçu des Humanitaires)," October 31, 2018, <https://reliefweb.int/report/democratic-republic-congo/r-publique-d-mocratique-du-congo-2018-aper-u-des-besoins> (accessed January 12, 2019).

¹² MONUSCO is the acronym for the force's French name, Mission de l'Organisation des Nations unies pour la stabilisation en République démocratique du Congo.

Priority Recommendations

Congo endorsed the Safe Schools Declaration in July 2016. The Safe Schools Declaration is an inter-governmental political commitment that provides countries the opportunity to express support for protecting education from attack during times of armed conflict; the importance of the continuation of safe education during war; and the implementation of concrete measures to deter the military use of schools.¹⁴

GCPEA calls on the Congolese government to implement the Declaration and on the international community to support the government, including by taking immediate steps to account for the specific needs and experiences of women and girls in the process of implementation.

GCPEA also offers the following priority recommendations (see also Expanded Recommendations section below, which also includes citations).

To the Congolese Authorities

GCPEA calls on the Congolese government to take the following steps as a matter of urgency:

- **Investigate and prosecute sexual violence.** The authorities should impartially investigate and prosecute alleged perpetrators of sexual violence in the Kasais, including holding accountable those high-level officers who knew or should have known about the widespread abuses of those under their command and did not take appropriate action, and ensuring that anyone convicted of such crimes is prohibited from remaining or rejoining the security forces in any location in the country;
- **End military use of schools.** The Congolese government should fully enforce Ministerial Directive N° VPM/MDNAC/CAB/0909 of 2013, which prohibits the use of schools for military purposes. For scenarios not addressed by the directive, the government should ensure the full implementation of the ***Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict*** as a minimum standard;
- **Train national defense and security forces** on the prohibition of sexual violence and on ending the use of educational institutions for military purposes;
- **Enforce legal age of marriage.** Enforce the Child Protection Act of 2009 (Article 48) 15 which sets the legal age of marriage at 18 for both men and women in all regions of Congo and expand measures to mitigate the harms caused by early marriage, including by expanding efforts to encourage and support continuation of education after marriage or, where that is not possible, economic empowerment programs and skills acquisition initiatives. Enforce ministerial directive guaranteeing that young mothers can continue with their education after childbirth;
- **Create systematic early warning systems.** In particular, the government should provide school administrators, students, and teachers, Ministry of Education personnel, and local communities with accurate, up-to-date security information, including specific information on the risks of sexual violence;
- **Ensure that schools have emergency communications protocols.** Improved communications systems are essential, especially in remote areas, if school administrators and teachers are to be able to alert students and take appropriate action when a threat is imminent;

¹³ Security Council, “Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo,” S/2019/6, January 4, 2019, <https://undocs.org/S/2019/6> (accessed January 12, 2019).

¹⁴ See Global Coalition to Protect Education from Attack, “Safe Schools Declaration and Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict,” <http://www.protectingeducation.org/safeschoolsdeclaration>.

¹⁵ Child Protection Act of 2009 (Article 48) <http://www.leganet.cd/Legislation/JO/2009/L.09.001.10.01.09.htm>



Children play outside a temporary school set up by UNICEF during a mid-day break, near Mbuji Mayi, Kasai region, on January 27, 2018.

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- **Support flexible educational arrangements.** The government should support and expand, with international donor support, formal and non-formal accelerated education opportunities. These should be certified programs that allow those who have missed out on education to catch up on missed learning. Efforts should be made to increase girls' access to safe and secure spaces for non-formal and formal education, especially accelerated programs;
- **Develop targeted reintegration interventions.** The government, with the support of international donors, should develop a comprehensive strategy specifically for the Kasai region,¹⁶ of adequate duration and backed by sufficient funding, for the reintegration of women and girls who have experienced sexual violence, abductions or recruitment and use in the Kasai conflict. This should include measures to increase availability of and access to services for the physical and psychological treatment of sexual violence; and
- **Address the financial impediments preventing children from attending schools,** such as mandatory school fees and at minimum suspend mandatory school fees in areas affected by conflict.

To Kamuina Nsapu and other militias

GCPEA also makes recommendations to Kamuina Nsapu and other militia leaders regarding the gross and serious abuses committed by their forces:

- **Cease attacks on schools.** As a matter of utmost urgency, GCPEA calls on all militia leaders to cease all attacks on education, including attacks on schools, students, and teachers, and the specific abuses against female students and teachers or administrators documented in this report;
- **End all recruitment and use of children.** Militia leaders should stop recruitment and use of children under 18 years of age and suspend from their positions, pending investigations, any commanders who are credibly alleged to have recruited and used child soldiers, including specifically the placing of girls in the front of militia units as human shields;
- **Prevent sexual and gender-based violence.** Militia commanders should take all steps necessary to prevent sexual and gender based violence (SGBV) by its combatants, including by halting all forced marriages, and hold combatants accountable, in accordance with international standards; and
- **Comply with international law.** The militia leadership should take all measures necessary to ensure that its combatants strictly comply with international humanitarian law and the principles of international human rights law, including by issuing command orders, adopting internal policies or creating a code of conduct that incorporate international humanitarian law obligations regarding the protection of education and the prohibition against sexual violence.

To the International Community

While, the United Nations, including MONUSCO, donor governments, and international humanitarian actors are already responding to many of the concerns raised in this report, the needs of victims of the conflict in the Kasais far exceed the resources currently available. GCPEA calls on the international community to privately and publicly urge the Congolese government to adopt the recommendations included in this report, and to increase its own support for the interventions recommended:

- **Support enhanced protection measures.** International donors should expand support for enhanced security measures, including emergency communications systems, especially for rural communities, systematic early warning systems, the development of comprehensive school-based safety and security plans, and programs to provide security training for educators and students;

¹⁶ Such efforts may include the full implementation of the Action Plan to stop and prevent child recruitment, sexual violence and other violations committed against children in the Kasais.

- **Support continued deployment and expanded mandate for MONUSCO.** The United Nations and member governments should ensure that MONUSCO maintains a presence in the Kasai region to afford it the capacity to monitor developments and intervene as necessary to prevent future conflict. The deployment of MONUSCO troops in the region should continue to include monitoring, reporting and responding to attacks on schools, military use of schools, and abductions and recruitment of children. In addition, if feasible, consider explicitly mandating MONUSCO to patrol schools to prevent attacks and the violations that occur during such attacks, as documented in this report;
- **Support specialized outreach to female victims of attacks on education.** International donors should support the expansion of specialized outreach to female survivors of attacks on education, including those who have suffered from recruitment, abduction, sexual violence, and other abuses documented in this report, in order to identify the numbers of survivors and their specific needs, and should continue to support, and where possible, expand the provision of medical and psychosocial assistance to survivors of attacks on education, taking into account the specific needs and experiences of women and girls;
- **Support targeted reintegration interventions.** International donors should support the development of a comprehensive strategy specifically for the Kasai region,¹⁷ of adequate duration and backed by sufficient funding, for the reintegration of girls formerly associated with armed groups;
- **Support efforts to expand access to medical and psychosocial support for victims.** International donors should expand support for programs that provide free and confidential medical and psychosocial services for victims of conflict-related violence, including sexual and reproductive healthcare, and ensure that victims are aware of such services and how to access them;
- **Support international accountability measures.** International actors in Congo should continue to promote and support international accountability measures with the government, including through international channels, such as the International Criminal Court, the UN Human Rights Council, UN Security Council Working Group on Children and Armed Conflict, UN human rights treaty monitoring bodies, among others; and
- **Support efforts to strengthen monitoring and reporting.** International organizations and influential governments should support the Congolese government to strengthen and systematize data collection related to school security, including on specific threats to female students and teachers. In addition, they should support efforts to strengthen monitoring and reporting of attacks on education and military use of schools and universities, including by collecting and reporting data that is disaggregated by sex.

¹⁷ Such efforts may include the full implementation of the Action Plan to stop and prevent child recruitment, sexual violence and other violations committed against children in the Kasais.

MAP OF GREATER KASAI



MAP OF KASAI CENTRAL PROVINCE



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(Cover) “Tshiela,” aged 10, sits in what was once her school in Mulombela village, Kasai region. The school was attacked by government forces in 2017 and five students were killed.

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