

FROM RHETORIC TO INACTION: THE FAILURE TO
IMPLEMENT GENDER NORMS IN THE UNITED NATIONS
ORGANIZATION MISSION IN THE DEMOCRATIC REPUBLIC OF
THE CONGO

by

Emily Wiseman

Hon. B.A. University of Toronto, 2007

A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF
THE REQUIREMENT FOR THE DEGREE OF

MASTER OF ARTS

in

The Faculty of Graduate Studies

(Political Science)

THE UNIVERSITY OF BRITISH COLUMBIA
(Vancouver)

August 2008

© Emily Wiseman, 2008

ABSTRACT

Since the 1979 *Convention on the Elimination of all forms of Discrimination Against Women*, rhetoric on gender has become increasingly prevalent within the United Nations and among member states. In 1999, the International Criminal Court and the Rome Statute made forms of war crimes and crimes against humanity when committed in context of armed conflict. Additionally, in 2001 the United Nations Security Council through resolution 1325 called for the protection of women in conflict and for an inclusion of gender mainstreaming in all peace operations.

Discussions on gender norms within the United Nations and among member states reached their peak as fresh and widespread violence, targeted against women and girls broke out in the Democratic Republic of the Congo. While this presented an auspicious opportunity for rhetorical norms on gender and peacekeeping to be put into practice within the United Nations Organization Mission in the Democratic Republic of Congo (MONUC), few of these rhetorical norms were successfully implemented. This, then, is a case study of the difficulty of moving from the rhetorical commitment of an international norm to its implementation. In particular, when the actors needed to advance the implementation of the norm have failed to complete the institutionalization and internalization process. It argues that the implementation of gender norms has not been successful in MONUC because of a failure of individual states and the United Nations bureaucracy to institutionalize and internalize these gender norms. Finally, it concludes that member states have failed to provide the resources and training required to implement gender norms, while United Nations bureaucracy has failed to establish a mandate and objectives that effectively respond to the needs of women.

TABLE OF CONTENTS

Abstract	ii
Table of Contents	iii
Acknowledgements	iv
Dedication	v
1 Introduction	1
2 Norm Institutionalization and Internalization	3
3 Gender Policy within the United Nations	6
3.1 The Evolution of Gender Policy within the United Nations.....	6
3.2 Peacekeeping and Gender Mainstreaming.....	7
4 Conflict in the Democratic Republic of the Congo	11
4.1 The Deadliest Conflict in Half a Century.....	11
4.2 “War Against Women and Girls”.....	11
4.3 The Creation of a Transitional Government and Continuing Violence.....	13
5 MONUC’s Mandate	15
5.1 Phases of the Operation.....	15
5.2 Gender Norms within MONUC.....	16
6 International Actors: The Role of Individual States	18
6.1 Rhetoric vs. Commitment: the Creation and Operation of MONUC.....	18
6.2 The Need for a Gender Balance, and Resources.....	21
6.3 Promoting a Culture of Impunity: Sexual Exploitation by MONUC Personnel...	22
6.4 Gender Mainstreaming and Pre-Deployment Training.....	24
7 International Actors: The Role of the UN Bureaucracy	26
7.1 The Role of the Secretary-General and Secretariat.....	27
7.2 The Secretariat: A Failure to Institutionalize and Internalize Gender Norms	27
7.3 Gender Norms and the Deployment and Operation of MONUC.....	28
7.4 Gender Training in MONUC.....	30
7.5 Preventing and Investigating Misconduct by Peacekeepers in the Field.....	32
7.6 Gender Norms in Post-Conflict Recovery.....	33
7.7 Women and the Peace Process.....	34
8 Conclusion	36
Bibliography	37

ACKNOWLEDGEMENTS

I am grateful for having been given the opportunity to study within the Department of Political Science at the University of British Columbia. Special thanks to the faculty, who have opened my mind to new ideas and broadened my field of academic studies. I owe particular thanks to Dr. Katharina Coleman for her insightful feedback and guidance this past year. I am especially thankful for all the efforts she has made to help me in the thesis process; her assistance has been invaluable to me. Thanks are also owed to my second reader Dr. Lisa Sundstrom for kindness and advice throughout the year, and her contributions to this work. I am also appreciative of the support I have received from my fellow students. In particular, I thank Kate McElroy for her thoughtful discussion and for giving me encouragement and support this past year.

I offer my enduring gratitude to my parents for their guidance, support, and encouragement throughout all my endeavours, in particular my education. Special thanks are owed to my sister Andrea and my brother Evan, for their encouragement and kind words, and for always finding a way to put life's events into perspective. Further thanks to Asma Bala, Julia Olofsson, Tim Klodt and Cindy Yang for listening to my endless academic whims, and for always providing their insightful feedback.

Additional thanks to Dr. Kate McInturff of Peacebuild, Rachel Logel from World Vision, Gisèle Eva Côté from Rights and Democracy, and Fraçoise Ndwimana for providing me with their personal insights and experience on this subject.

Finally, thank you to Dr. Robert Campbell for telling me that social constructivism "can be fun" and for aiding me and guiding me throughout my undergraduate and graduate experiences.

DEDICATION

To my family

“It is more dangerous to be a woman than to be a soldier right now in Eastern DRC.”
— *Major General Patrick Cammart, former Deputy Force Commander*¹.

1 Introduction

Raging since 1998, the conflict in the Democratic Republic of the Congo (DRC) is in part a war against women and girls. Conflicting parties have used sexual violence as a weapon of war on an immense scale with devastating consequences². The United Nations (UN) has been operating in the DRC since 1999 through the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), one of the largest missions in UN history. Established during escalating discussions within the UN system on incorporating gender norms in peace operations and amid reports of widespread violence against women in the DRC, MONUC presents an auspicious opportunity for rhetorical norms on gender and peacekeeping to be put into practice. However, because these norms have not been fully institutionalized and internalized within the UN system, much of the rhetoric and commitments that surround them have yet to be implemented. The result has been a mission that has attempted and largely failed to include a gender perspective and respond to the gender-dimensions of the DRC conflict. This, then, is a case study of the difficulty of moving from the rhetorical commitment of an international norm to its implementation. In particular it analyzes the difficulty of such an act when the actors needed to advance the implementation of the norm have failed to complete the institutionalization and internalization process. This case study concludes that implementation has suffered because of failures by UN member states to provide resources and training, and the UN to establish a mandate and objectives that effectively respond to the needs of women.

¹ UNDPI, 2008

² HRW 2002, 1

Section two discusses how social constructivism maintains that rhetorical norms are institutionalized and internalized by bodies like the UN and member states. Section three demonstrates that rhetorical norms on gender mainstreaming and commitments to implement them have been prevalent within the UN. Focusing on gender, section four outlines the dimensions of conflict in the DRC. Section five provides an overview of MONUC's mandate and attempts at gender mainstreaming. Section six highlights how individual states have failed to institutionalize and internalize gender-mainstreaming norms in peacekeeping operations and the consequences of this failure in MONUC. Finally, section seven conducts a similar analysis although focusing on the UN bureaucracy. Ultimately, it will be shown that despite rhetorical commitments, individual states and the UN Secretariat have not completely institutionalized and internalized gender norms in peace operations, resulting in their poor implementation within MONUC.

2 Norm Institutionalization and Internalization

According to social constructivists, a norm is a standard of appropriate behaviour for actors with a given identity³. It is a rule-like prescription that is clearly perceptible to a community of actors and makes behavioural claims upon those actors⁴. Norms by definition symbolize a property of “oughtness” and shared moral judgment. This sets them apart from other kinds of rules because they entail standards of “appropriate” or “proper” behavior, set by the standards of a society⁵.

Finnemore and Sikkink seminally described the norm life cycle, which charts the emergence of a norm and its internalization. In the first stage the norm emerges- pushed by norm entrepreneurs with organizational platforms. This is followed by a “tipping point” where a norm cascade occurs, involving states, international organizations and networks. Here, socialization, institutionalization, and demonstration are said to occur. In this stage, actors - including state actors - will conform to the norm because of legitimacy, reputation and esteem⁶. They follow a logic of consequences wherein individuals adopt a norm, but do not necessarily internalize it⁷. The final stage is internalization, where law, professions, and bureaucracy adopt the norm, and conform to it, following a logic of appropriateness, where the behaviour becomes unquestioned out of habit and institutionalization⁸.

This thesis maintains that norm implementation can be the result of institutionalization and internalization occurring either together or separately. Institutionalization occurs when an increasing number of organizations adopt a program or policy reflecting the norm; it thus

³ Finnemore and Sikkink. 1998, 891

⁴ Finnemore 1993, 566

⁵ Finnemore and Sikkink 1998, 898

⁶ Ibid..891

⁷ Checkel 1999, 804

⁸ Finnemore and Sikkink 1998, 891

becomes widely understood as a necessary component of the organizational structure⁹. This institutionalization involves designing institutional mechanisms and drafting legislation to advance the norm¹⁰. According to Checkel, the degree of a norm's institutionalization can be measured through its use in international rules and organizations, international law, in bilateral foreign policies, or even in the creation of a body like United Nations Educational Scientific and Cultural Organization (UNESCO)¹¹. Such institutionalization contributes strongly to norm implementation by clarifying what, exactly, the norm is and what constitutes a violation of that norm¹². Importantly, institutionalization can take the form of largely rhetorical commitments. As such, role-playing can facilitate the institutionalization and the implementation of a norm¹³. However, the more frequently a norm is included in documents and plans, the more natural it becomes for an official to include the norm in all contexts. This can result in internalization¹⁴. Institutionalization is most likely then to facilitate norm implementation if it is combined with internalization.

Internalization is the final stage of Finnemore and Sikkink's life cycle of a norm. An internalized norm invokes a logic of appropriateness where pro-norm behaviour is so deeply internalized it becomes unquestioned¹⁵. Internalization occurs when agents accept the community's norms and go beyond conscious role-playing to accept norms as "the right thing to do"¹⁶. This implies that agents adopt the interests, or even the identity, of their community, and therefore can also involve changes in values and interests at the individual or state level¹⁷.

⁹ Finnemore 1993, 592

¹⁰ True and Minstrom. 2001, 29

¹¹ Checkel 1999, 804

¹² Finnemore and Sikkink 900

¹³ Checkel 1999, 804

¹⁴ Elgstrm 2000, 472.

¹⁵ Johnston. 2001, 92

¹⁶ Checkel 1999, 804

¹⁷ Checkel 1999, 808

Finally, internalization requires an individual to act in accordance with the norm thereby demonstrating they have internalized the institutional position¹⁸.

Many norms, such as the commitment to ban landmines, exist within the UN system in rhetoric. What is unclear is how often these norms are both institutionalized and internalized among member states and within the UN bureaucracy to ensure their effective implementation. In the case of MONUC however, it is clear that for the implementation of rhetorical norms to occur, both internalization and institutionalization must occur. Without the success of both processes, implementation of the rhetorical norm is incomplete. By examining this failure in MONUC, this thesis may shed light on the implementation of other rhetorical norms that do not have an institutional body from which to function and disseminate a norm.

¹⁸ Finnemore and Sikkink 1998, 892

3 Gender Policy within the United Nations

3.1 *The Evolution of Gender Policy within the United Nations*

Contemporary norms and commitments calling for gender perspectives in international policy began in 1979 with the *Convention on the Elimination of all forms of Discrimination Against Women*. This document defined discrimination against women and established an action plan for signatories to institutionalize gender equality in their respective domestic legal systems¹⁹. Articulations linking gender equality and peace then emerged during the UN Decade for Women from 1976-1985. In 1985 a UN report titled *Strategies for the Advancement of Women to the Year 2000* identified the discrimination and violence that women suffer as significant obstacles to the achievement of women's equality, development, and peace²⁰. Several states, including those with poor records on women's equality adopted bureaucracies to integrate gender equality so as not to be seen as breaking with the norm- indicating the establishment of institutional mechanisms for gender equality, though not internalization²¹.

The next significant achievement came in 1995 when 189 countries unanimously adopted the *Beijing Platform for Action*, which focused attention on the fact that civilians, mostly women and children, outnumber combatant casualties during war. It also noted that the systematic rape of women is commonly used as a tactic of war and terrorism²². Importantly, the document called upon the UN and member states to ensure that where crimes of sexual violence are committed in conflict, all perpetrators, including those in UN missions, are prosecuted²³. It also set objectives for the UN bureaucracy, which include involving more women in conflict and post-conflict decision-making positions and protecting women living in situations of armed conflict or foreign

¹⁹ True and Minstrom 2001, 42

²⁰ Sandis 2006, 372.

²¹ Ibid.

²² DAW 2001, 106

²³ United Nations Department of Economic and Social Affairs 2006, 54

occupation²⁴. However, while a 1997 ECOSOC resolution endorsed ‘gender mainstreaming’²⁵ within the UN, individual states and the UN bureaucracy established few mechanisms within peacekeeping operations that reflected a change in the values and interests of the state by echoing the language of the *Platform*.

Nevertheless, institutionalization did progress through international laws established to prosecute violence against women during conflict. Specifically, the International Criminal Tribunals for the former Yugoslavia and Rwanda issued the first convictions for sexual violence as a crime against humanity²⁶. In addition, the Rome Statute of the International Criminal Court provided that rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization and other forms of sexual violence were war crimes when committed in the context of armed conflict and crimes against humanity²⁷. These rulings established precedents upon which the Security Council and the Secretariat might institutionalize gender mainstreaming and condemn violence against women in all peace operations.

3.2 *Peacekeeping and Gender Mainstreaming*

A rhetorical commitment exists within the UN to mainstream gender into peace operations. On May 31st 2000, the *Windhoek Declaration: Namibia Plan of Action on Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations* integrated decades of UN language into a comprehensive plan of action, calling for an institutionalization of a gender perspective in peace operations. The declaration requested that “the initial

²⁴ DAW 2001, 106

²⁵ Gender Mainstreaming is defined as “the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels...so that women and men benefit equally”. Economic and Social Council.1997. Agreed Conclusions. United Nations, 28.

²⁶ Campbell 2004, 509

²⁷ United Nations Secretariat. 28 June- 23 July 2004. Gender Mainstreaming in the work of the United Nations on Peace and Security. Available from: www.un.org/womenwatch/ianwge/activities/E-2004-CRP-3.pdf, Accessed 16 June 2008.

assessment mission [of] any peace support operation include a senior adviser on gender mainstreaming”²⁸. Additionally it prescribed that the Department of Peacekeeping Operations (DPKO) “provide gender awareness guidelines and materials” to member states for their national training programmes prior to deployment²⁹.

In October 2000, Security Council resolution 1325 on *Women, Peace, and Security* echoed the Windhoek Declaration when it sought to incorporate a gender perspective in all areas of peacekeeping operations. It also urged the Secretary-General to ensure that field operations include a gender component where appropriate³⁰. Furthermore, the resolution called for the inclusion of a gender perspective, and the participation of women at all levels of decision making in peace operations and peace processes; the protection of the rights of women and girls in conflict zones; and gender mainstreaming in the reporting and implementation system of the UN³¹. Finally, 1325 “*Emphasized* the responsibility of all states to put an end to impunity and to prosecute those responsible for genocide, and war crimes, including sexual and other forms of violence against women and girls. [And]... *stresse[d]* the need to exclude these crimes, where feasible from amnesty provisions³²”.

With resolution 1325, a new conception of which gender issues ought to be considered in peace operations was introduced. Institutionalization occurred with the passage of resolution 1325, and was to continue with member states incorporating this norm in their peacekeeping practices. This placed the onus on individual states to take responsibility for promoting gender mainstreaming within peace operations. The case of MONUC will show that this reduced the

²⁸ United Nations Transitional Assistance Group, 2001

²⁹ Ibid

³⁰ United Nations Security Council, 2000

³¹ Kirk and Taylor, 2004

³² International Alert 2002, 15

norm's requirements for implementation among states³³.

Since the adoption of resolution 1325, gender has been unusually present in UN Security Council resolutions, indicating a rhetorical institutionalization of gender in peace operations. Between 2000 and 2004, 14.2 per cent of all resolutions included language that drew attention to women or gender issues and recalled resolution 1325. This included establishing gender units in the mandates of peacekeeping missions such as Liberia, and calls for gender mainstreaming in the mandates of peace operations³⁴. Gender advisers, who are responsible for assisting the Special Representatives of the Secretary General (SRSG) and senior mission staff in mainstreaming gender in all aspects of a mission's mandate, were also established in seven peacekeeping operations, including the DRC³⁵. However, as will be seen below internalization of the norm has not occurred, as MONUC demonstrates that gender units are established and operate separately from the rest of the mission.

These rhetorical commitments have continued, with U.S. Secretary of State Condoleezza Rice pushing the Security Council in June 2008 to unanimously pass resolution 1820, which called for states to halt the use of sexual violence as a weapon of war. This was a landmark document because of its recognition of violence against women in conflict as a threat to the economic, social and political stability and security of a country³⁶. However, it is too soon to know how successfully the resolution will be implemented, as interviews with the programme officer for women's rights at the NGO Rights and Democracy raised concerns that this

³³ Finnemore 1993, 583

³⁴ United Nations, 2004

³⁵ Ibid...7

³⁶ UNDPI, 2008

resolution, like 1325, did not come with any specific recommendations for funding or implementation³⁷.

Thus, it is clear that rhetorical advancements have been made in institutionalizing gender norms within the UN system. It is possible that the more often these concerns are included in documents and plans, the more natural it will become to include them in all peace operations. The case of MONUC demonstrates however, that these norms have rarely been implemented into action because of a failure of states to completely institutionalize and internalize gender norms in their domestic systems, resulting in a lack of resources for MONUC. Meanwhile the UN bureaucracy has failed to do the same in the structures of the UN, resulting in policies within MONUC that are not responsive to the needs of women in the DRC.

³⁷ Author's interview with Gisèle Eva Côté , Rights and Democracy, August 2008.

4 Conflict in the Democratic Republic of the Congo

4.1 *The Deadliest Conflict in Half of a Century*

Conflict in the DRC was sparked by the 1994 Rwandan genocide, when Hutu militia sought refuge in the eastern Congo³⁸. The conflict drew in forces and support from seven other African nations and several non-state actors. In 1996, Rwandan, Angolan, and Ugandan support for the uprising of the Alliance of Democratic Forces for the Liberation of Congo-Zaire (ADFL) deposed then President Mobutu Sese Seko, replacing him with rebel leader Laurent Kabila. Two years later in July 1998, President Kabila dismissed his Rwandan military advisors and expelled Rwandan forces from eastern Congo³⁹. In response, in August 1998 Rwandan troops backing the Congolese rebels, Congolese Rally for Democracy and invaded the DRC along with the Ugandan sponsored Congolese Rally for Democracy-Liberation and Movement for the Liberation of Congo⁴⁰. President Kabila mounted a defense with troops from the DRC, Zimbabwe, Namibia, Angola, Chad, and Burundian rebels. The result was the creation of one of Africa's most internationalized and deadliest wars⁴¹.

4.2 *"A War Against Women and Girls"*

Since 1998 the direct and indirect death toll from the conflict has reached 5.4 million and continues to rise⁴². Approximately 1,000 people have died each day from fighting and fighting-induced conditions, making this the deadliest conflict since World War II. Few conflicts have caused as much trauma and destruction among civilians as the one in the DRC. Women have

³⁸ From 1971 to 1997 the Democratic Republic of Congo was referred to as Zaire. For the purposes of continuity this paper will only make reference to the country as the Democratic Republic of the Congo, DRC or Congo.

³⁹ Roessler and Pendergast 2006, 236

⁴⁰ Ibid...238

⁴¹ HRW 2004, 2

⁴² Joe Bavier. Reuters. "Over 2,000 raped last month in Congo's east: Report" July 29, 2008
http://news.yahoo.com/s/nm/20080729/wl_nm/congo_democratic_rape_dc

suffered unparalleled violence, with Human Rights Watch labeling the conflict “A War Against Women” because of the widespread use of rape as an instrument of war⁴³.

Within the conflict, women and girls have taken on the roles of combatant, wife, and sexual slave⁴⁴ and all sides use rape as a weapon of war on a massive scale. The motives for this tactic include the belief that raping a virgin gives a soldier immunity in combat⁴⁵, revenge, ethnic cleansing, and finally the desire to undermine “enemy” morale by spreading shame, injury, and disease among the population⁴⁶. The UN believes that these atrocities aim to achieve the complete physical and psychological destruction of women⁴⁷. These are also committed in a deliberate attempt to dehumanize and destroy entire communities and make villages submissive to the power of rebel groups⁴⁸.

Overall, the UNDP estimates that there have been approximately 50,000 cases of rape reported in the east of the country⁴⁹. Most recent reports estimate that 2,200 women were raped in North Kivu alone in June 2008, suggesting that the real number of victims is much higher than 50,000⁵⁰. The exact number of women affected by sexual abuse is unknown. For every rape that is reported, the UN estimates that between ten and twenty rapes go unreported because women fear stigmatization or lack access to doctors and clinics. Poor infrastructure and the ongoing violence also make obtaining statistics difficult⁵¹. The former Gender Advisor for MONUC

⁴³ HRW, 2002

⁴⁴ HRW, 2004

⁴⁵ The Economist, May 2008.

⁴⁶ Ibid.

⁴⁷ United Nations. July 2007. South Kivu: 4,500 Sexual Violence Cases in the First Six Months of this Year Alone. Available from: <http://www.monuc.org/new.aspx?newsID=15065&menuOpened=A.org> Accessed 25 May 2008.

⁴⁸ HRW, 2002

⁴⁹ All Africa. July 2008. Congon-Kinshasa: Poursuite des autres des violences sexuelles

Available from: <http://fr.allafrica.com/stories.2007111080611.html?viewall=1> Accessed 1 August 2008.

⁵⁰ Bavier, 2008

⁵¹ The Economist, May 2008

estimated in 2003 that “10’s to 100’s of thousands of women and girls” had already become victims⁵².

Women and girls also constitute nearly 75% of the refugee and internally displaced population in the DRC, fleeing violence for the forest or refugee camps, unprotected and vulnerable to attack by combatants⁵³. Upon reaching refugee camps women have faced additional sexual exploitation by UN peacekeepers, where they are raped or engage in ‘survival’ prostitution- trading sex for food, shelter, and protection⁵⁴. The result is the destruction of communities through rejection and stigma, unwanted children, high rates of HIV/AIDS, and extensive physical and psychological injuries⁵⁵.

4.3 *The Creation of a Transitional Government and Continuing Violence*

As military activities increase in one area, so does the violence against women and girls, making peace essential for women’s security in the DRC⁵⁶. Following dozens of failed initiatives, on July 10, 1999 the Lusaka Ceasefire Agreement was signed by the DRC, Angola, Zimbabwe, Namibia, Rwanda and Uganda⁵⁷. It requested that the UN and the Organization for African Unity “constitute, facilitate, and deploy an appropriate a peacekeeping force to ensure implementation of this agreement”⁵⁸. In response a UN liaison mission was created in 1999.

Following the assassination of Laurent Kabila in January 2001, further peace negotiations resulted in the withdrawal of Rwandan and Ugandan forces. A December 2002 peace deal in Sun City, South Africa ushered in a transitional government in June 2003 in which Joseph Kabila

⁵² Smythe, 2003

⁵³ MONUC 2005a.

⁵⁴ Higate 2004, 7.

⁵⁵ Ibid...15

⁵⁶ HRW, 2002

⁵⁷ Pillay 2006 , 7

⁵⁸ Rosseler and Pendergast 2006, 238

shared power with four vice-presidents⁵⁹. This 'government of national unity' purportedly ended the nine-year conflict, but in many parts of eastern DRC the fighting between armed groups continues with widespread human rights violations⁶⁰. In response to the continuing violence in the east, an additional peace agreement was signed in Goma in January 2008⁶¹. Although 40 groups signed the agreement, the Forces for the Liberation of Rwanda, which had sparked the resurgence of violence leading to Goma, failed to sign, making the treaty's success unlikely⁶².

⁵⁹ International Crisis Group. July 2008. Conflict History: DR. Congo Available from: http://www.crisisgroup.org/home/index.cfm?action=conflict_search&l=1&t=1&c_country=3. Accessed 5 June 2008.

⁶⁰ HRW, 2002

⁶¹ The Economist.com. January 2008. Peace at Last? Available from: <http://www.economist.com/world/africa/> Accessed 13 May 2008

⁶² The Institute for Security Studies. 4 February 2008: Will The Goma Peace Agreement Bring Peace to the Eastern Part of the Democratic Republic of the Congo? Available from: http://www.issafrica.org/static/templates/tmpl_html.php?node_id=2943&slink_id=5451&slink_type=12&link_id=5. Accessed 7 June 2008.

5 MONUC's Mandate

5.1 *Phases of the Operation*

MONUC was established by the UN Security Council to facilitate the implementation of the Lusaka Accord. With over seventeen thousand troops and a budget exceeding one billion dollars, MONUC is currently the most expensive mission in the DPKO⁶³. The mission is financed primarily through assessments from the United States, Japan, and Germany⁶⁴. The Special Representative of the Secretary General for the DRC is Alan Doss from the United Kingdom⁶⁵, but the majority of military personnel have come from India, (4,372 personnel) Pakistan, (3, 551 personnel), Bangladesh and Uruguay, (approximately 1, 300 personnel each)⁶⁶.

MONUC has proceeded in four phases. The first phase (1999-2000), sought to implement the Lusaka Agreement, by positioning UN military personnel to liaise with the warring parties⁶⁷. The second phase (2000-2001) continued to monitor the ceasefire and deployed 500 military observers to oversee the disengagement of foreign forces from the DRC⁶⁸. Throughout these phases there was no specific mandate for civilian protection, nor was MONUC charged with halting violations of humanitarian law, despite the prevalent violence, particularly against women⁶⁹.

The third phase (2001-2003) focused on the disarmament, demobilization, repatriation, resettlement and the reintegration (DDR(RR)) of fighters⁷⁰. During this phase the security vacuums left by the withdrawal of foreign forces in phase two intensified ethnic conflict in Ituri

⁶³ MONUC, 2006b

⁶⁴ MONUC, 2006a

⁶⁵ United Nations. Special and Personal Representatives and Envoys of the Secretary-General. Available from: <http://www.un.org/News/ocg/srsg/table.htm>. Accessed 2 June 2008.

⁶⁶ MONUC, 2006c

⁶⁷ Roessler and Pendergast, 260

⁶⁸ Ibid..266

⁶⁹ Human Rights Wwatch, 94

⁷⁰ MONUC, 2006b

and the Kivus, stalling demobilization⁷¹. In response, the Security Council increased MONUC's troop levels by more than half but resisted giving MONUC overall Chapter VII authority, which would have authorized MONUC to use all means deemed necessary within the limits of the mission's capacities and in its areas of deployment to protect civilians under imminent threat of physical violence⁷².

Instability, violence and DDR(RR), continued in the fourth phase (2003-2006) of MONUC, which sought to facilitate the DRC's transition to credible elections, won by Joseph Kabila in 2006⁷³. Phase four also saw the deployment of an Interim Emergency Multinational Force (IEMF) led by France. The IEMF operated in Ituri from June to September 2003 and was granted a full Chapter VII mandate to restore temporary order to the regions MONUC had lost control⁷⁴. Since the 2006 elections, MONUC has focused its attention on establishing peace in the east of the country and rebuilding Congolese institutions such as the judiciary⁷⁵.

As will be seen in later sections, throughout all phases of the mission, responding to the gender based violence in the DRC has not been a top priority of MONUC. Few institutional mechanisms have been designed to mainstream gender activities throughout MONUC and even fewer have been implemented, indicating weak institutionalization of the norm through rules, policies, and programs.

5.2 *Gender Norms within MONUC*

The creation of the Office of Gender Affairs (OGA) is one of the few mechanisms established in MONUC to institutionalize gender norms. Created in March 2002 following the

⁷¹ Roessler and Pendergast 266

⁷² MONUC, 2006b.

⁷³ MONUC, 2006b

⁷⁴ Roessler and Pendergast p.284

⁷⁵ Ibid...294

recommendations of resolution 1325⁷⁶, the OGA works to ensure gender mainstreaming within MONUC, the peace process, and in the DRC⁷⁷. Recalling resolution 1325, the OGA has attempted to institutionalize and diffuse gender norms in peacekeeping by training UN personnel as well as the Congolese National Police. The goal is to make MONUC personnel aware of the sex-specific issues in the DRC⁷⁸ and to train peacekeepers on gender issues, creating a security sector responsible for its acts⁷⁹. Additionally, in line with resolution 1325, the OGA aims to encourage the effective participation of women in the peace process and post-conflict rebuilding⁸⁰. However, significant obstacles exist, with interviews highlighting that despite progress, the results on gender mainstreaming have been weak, due to strategies, means and measures that are not proportional to the needs of women and girls⁸¹, indicating weak institutionalization.

⁷⁶ UN Security Council, 2000

⁷⁷ MONUC, 2005a

⁷⁸ MONUC, 2005c

⁷⁹ MONUC, 2005d

⁸⁰ MONUC, 2005b

⁸¹ Interview by Author, Vancouver July 2008.

6 International Actors: The Role of Individual States

6.1 *Rhetoric vs. Commitment: Obstacles in the Creation and Operation of MONUC*

The introduction of gender norms through MONUC's OGA and UN documents creates the precondition for bureaucrats and states to see gender norms as appropriate⁸². However, institutionalization and internalization remain incomplete. This is in part because of a lack of resources and political will from member states, which has made the implementation of gender policies largely ineffective.

When the Lusaka Agreement requested a UN mission, the permanent members of the Security Council were devoting their attention and resources to missions in Bosnia, Kosovo, and Sierra Leone⁸³. Thus, states were reluctant to create a mission in the DRC. At the Security Council sessions following Lusaka, the Secretary-General refrained from requesting a specific number of troops, but stated that the mission "would have to be large and expensive"⁸⁴. African leaders advocated for 15,000-20,000 UN troops to be deployed immediately, while France requested the immediate deployment of 10,000 peacekeepers, arguing that a comprehensive cease-fire would remain elusive without the presence of UN troops⁸⁵. Despite pushing for MONUC's creation, the U.S. however, advocated for a maximum of 5,000 troops. The result was resolution 1291 in February 2000, which expanded MONUC from its liaison mission to a force "of up to 5,537 military personnel, including up to 500 observers, or more, provided that the Secretary-General determines that there is a need and that it can be accommodated"⁸⁶. This

⁸² Elgström 2000, 472.

⁸³ Roessler and Pendergast 2006, 249

⁸⁴ Secretary General. 17 January 2000. Report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo. Available from: <http://www.un.org/Docs/sc/reports/2000/sgrep00.htm>. Accessed 13 July 2008.

⁸⁵ Roessler and Pendergast 2006, 250

⁸⁶ DPKO, 2001. MONUNC.

indicated a lack of will among states to deploy a large, permanent force to quell violence and protect civilians.

Weak political will has persisted as MONUC consistently lacks the troops it requires to fulfill its mandate. Even as authorization increased, MONUC faced difficulty reaching full strength. By 2004, MONUC had 385 fewer troops than the 10,700 troops authorized by the Security Council in 2003. In this time, Ituri militia targeted MONUC and dissident forces occupied Bukavu, leaving the mission incapable of protecting civilians, in regions where women face the greatest violence. In response, the Secretary-General requested that the Security Council more than double the number of soldiers in the country by adding 13,100 troops to the 10,415 already present. In October 2004 the Security Council authorized 5,900 additional military personnel, less than half the number requested⁸⁷. The Council also denied the mission the deployment of a brigade planned for the southeastern part of the country⁸⁸, where the UN estimates that at least 25,000 women have been raped. While temporary deployments put the force at 18,347 personnel, the current mandate only authorizes a mere 16,700 troops total. This is well below the 23,000 troops recommended by the Secretary General⁸⁹, denying MONUC resources to protect women and girls.

In a vast country like the DRC and with multiple rebel groups and militias engaged in conflict, roughly 17,000 peacekeepers and 500 police are not enough to put an end to the violence⁹⁰. In contrast, contemporary missions in Cambodia and Bosnia had almost 30,000 and 60,000 soldiers deployed respectively⁹¹. This highlights the willingness of the Security Council in previous missions to deploy large volumes of troops in smaller geographic areas and in less

⁸⁷ MONUC, 2006d

⁸⁸ Roessler and Pendergast 2006, 256

⁸⁹ UN DPKO, 2008

⁹⁰ The Economist, May 2008

⁹¹ Diehl, Druckman, and Wall 1998, 33

deadly conflicts than the DRC. Thus, the lack of troops in the DRC questions the commitment of states to put an effective end to this conflict and protect women and girls.

The former Division Commander of MONUC stated in June 2008 that peacekeepers have played an important role in preventing acts of sexual violence against women in the DRC⁹². Yet, since September 2005 and resolution 1621, the Security Council has twice requested the Secretary-General start downsizing and repatriating personnel⁹³. Although this has yet to occur, the request came despite targeted violence against women. At the time of the 2005 request, Medecins Sans Frontieres reported that its teams admitted 1,292 women who were victims of sexual violence and as many again in the first six months of 2006 in the North Kivu province. This represented as little as 10% of the estimated number of cases⁹⁴ and is indicative of the Security Council's failure to conduct a gender analysis, implement 1325, and have concern for MONUC as a whole.

Another obstacle preventing the implementation of gender policies in MONUC is the lack of lead country in this mission to streamline policies like gender, as occurred when the U.S. took the lead in Liberia and the U.K. in Sierra Leone⁹⁵. This means that no state has taken on the responsibility of gender mainstreaming within the mission itself or ensured that the needed financial contributions are available, preventing the effective implementation of gender norms.

⁹² UNDPI, 2008

⁹³ UN DPKO, 2007

⁹⁴ Medecins Sans Frontieres. 2006. Democratic Republic of Congo: Rape as a Weapon in North Kivu. Available from: <http://www.doctorswithoutborders.org/news/2006/07-19-2006.cfm>. Accessed 5 July 2008.

⁹⁵ Pillay 2006, 7

6.2 *The Need for a Gender Balance, and Resources*

The “Memorandum of Understanding” between the UN and troop contributing countries states that in peace operations the UN cannot make requests based on sex for the composition of contingents. Thus, the composition is determined by member states, which often, especially in the case of MONUC is related to their national armed forces, including few women⁹⁶. In April 2003 there were only eleven women out of approximately 500 military observers at MONUC⁹⁷. Figures on the overall mission balance have not been made available since 2003, but as of August 2008 no women occupied the positions of SRSG, Deputy SRSG, Force Commander or Police Commissioner⁹⁸. Furthermore, of the fourteen members of the senior management team, only four are women⁹⁹. Interviews also suggest that there are few women out on patrol in the east of the country where women suffer the greatest violence.

Including female peacekeepers facilitates communication with the local population and encourages women to report incidences of violence. In the case of the DRC where men in uniform commit approximately 80% of the assaults against women¹⁰⁰, including female peacekeepers is additionally important as local women have difficulty approaching male peacekeepers about the violence committed against them or other security concerns¹⁰¹. NGOs working to facilitate communication between local women’s groups and MONUC are concerned that as long as a gender imbalance persists, MONUC is unlikely to monitor the routes necessary to increase security for women¹⁰².

⁹⁶ Kent, 2007, 56

⁹⁷ Puechuirbal 2003, 125-126

⁹⁸ United Nations 2008. Facts and Figures. Available from:
<http://www.un.org/Depts/dpko/missions/monuc/facts.html>. Accessed 1 August 2008.

⁹⁹ MONUC, 2008

¹⁰⁰ Author's interview with Gisèle Eva Côté, Rights and Democracy, August 2008

¹⁰¹ Puechuirbal 2003, 125-126

¹⁰² Author's interview with Rachel Logel with contributions from World Vision, July 2008.

The MONUC case is in contrast to the cases of South Africa where 60% of the UNOMSA mission forces including the initial force commander were women¹⁰³, and Liberia where the Government of India deployed the first all-female police unit. This latter achievement by India attracted more women to the police force and decreased violence¹⁰⁴. The creation of the all female police unit in 2007 thus represented the fulfillment of resolution 1325's goal to increase the number of women participating in peacekeeping operations and in post-conflict reconstruction¹⁰⁵. In contrast, MONUC highlights where this norm has not been internalized by member states as appropriate behaviour with devastating consequences.

MONUC has also lacked the resources it requires to implement its mandate. As of January 2001 79.7 million dollars worth of overall contributions to MONUC were outstanding¹⁰⁶. This is particularly problematic for implementing gender norms because the OGA has been forced to operate without a budget¹⁰⁷, limiting its effectiveness and political viability¹⁰⁸. Consequently, this has reduced the presence of gender mainstreaming and the reporting of gender-based violence within MONUC. Furthermore, it indicates a disparity between rhetorical claims and real practice.

6.3 *Promoting a Culture of Impunity: Sexual Exploitation by MONUC Personnel*

Incidents of misconduct by peacekeepers have become pervasive in the nine years that MONUC has been operating. According to the former Division Commander of MONUC "The political will to end the vicious cycle of impunity does not exist [and] remains a serious

¹⁰³ Pillay 2006, 6

¹⁰⁴ Beri 2008, 213

¹⁰⁵ United Nations 2002, 1

¹⁰⁶ Secretary General. 2001. Sixthth Report of the Secretary-General on the United Nations Organization Mission in the DRC. Available from: <http://www.un.org/Docs/sc/reports/2001/sgrep01.htm> Accessed 13 July 1008.

¹⁰⁷ Pillay 2006, 7

¹⁰⁸ Masson 2005, 506

impediment for the prevention of sexual violence¹⁰⁹”. From December 2004 until October 2005, the Office for Addressing Sexual Exploitation and Abuse conducted 111 investigations into allegations of sexual exploitation and abuse. Among the punishments issued, thirty MONUC soldiers and ten police members were repatriated on disciplinary grounds¹¹⁰. From these investigations, the office concluded, that there was “‘zero compliance’ with ‘zero tolerance’” and that investigations by the UN into allegations of sexual abuse “did not act as a deterrent to some of the troops, perhaps because they had not been made aware of the severe penalties for engaging in such conduct, nor had they seen any evidence of a negative impact on individual peacekeepers for such behaviour”¹¹¹. In the DRC, it is clear that preventing sexual exploitation has not been internalized by individual peacekeepers. Individual states have also not made clear these zero tolerance policies, indicating incomplete institutionalization through policy and communication.

Officially, the UN has a “zero-tolerance” policy¹¹² stating that any acts of sexual exploitation and abuse are unacceptable and strictly prohibited¹¹³. As of 2008, there have been no reports of repatriated soldiers being prosecuted, despite calls for prosecuting guilty peacekeepers in the Beijing Platform for Action. Here, gender and peacekeeping norms conflict with the institutionalized and internalized norms of state sovereignty, preventing the UN from taking action against soldiers who have committed abuse¹¹⁴. The lack of prosecution by individual states indicates that they have not institutionalized and implemented gender norms, nor have states made clear to soldiers definitive legal punishment for breaking these norms, preventing internalization as soldiers fail to conform to gender norms to the detriment of local women.

¹⁰⁹ UNDPI, 2008

¹¹⁰ MONUC 2006d

¹¹¹ Bedont 2005, 50

¹¹² Bedont 2005, 86

¹¹³ MONUC, 2006e

¹¹⁴ Finnemore 1993, 582

6.4 *Gender Mainstreaming and Pre-Deployment Training*

States are responsible for the institutionalization of gender norms through the adoption of policies, and the implementation of gender programmes in pre-deployment training¹¹⁵. This requires states to see implementing the norm as the right thing to do, diffusing it through institutional mechanisms. Although the UN provides training packages to states, the training sessions implemented by them vary. In Bangladesh, courses only cover the UN Standardized Generic Training Module on Gender issues in peacekeeping, but in Sweden, gender is mainstreamed into all its courses and soldiers are trained on country-specific subjects and on the empowerment of local women¹¹⁶. Thus, while training sessions institutionalize the UN's gender norms; implementation remains uneven, hindering MONUCs ability to respond to the needs of women.

Ineffective pre-deployment training has translated into soldiers failing to internalize gender norms regarding violence against women. This was evident in pre-deployment training for the United Nations Transitional Administration in East Timor (UNTAET). Here, peacekeepers stated that they could not interfere to stop violence against women because 'wife beating is a part of the local culture' while simultaneously stating that they 'wanted to help' and 'make a difference'¹¹⁷. This is particularly relevant for the DRC, where peacekeepers face mass movements of displaced people, the majority of whom are women who have been the victims of war crimes. In order to respond effectively and avoid further traumatizing and disempowering local women and girls, peacekeepers need to be trained on gender norms¹¹⁸.

¹¹⁵ Puechguirbal 2003, 117

¹¹⁶ Minna Myytikäinen 2007, 4

¹¹⁷ Mackay 2003, 221

¹¹⁸ Puechguirbal 2003, 122.

In sum, it is clear that individual member states have failed to institutionalize and internalize gender norms in peacekeeping, preventing the effective implementation of these norms within MONUC. This is evident by the failure of states to authorize and deploy enough forces to quell the violence and protect women in DRC, to deploy a gender balanced mission, and finally through the failure of states to properly train soldiers and deter acts of sexual violence through the prosecution of those acts.

7 International Actors: The UN Bureaucracy

7.1 *The Role of the Secretary-General and Secretariat*

Although individual states have failed to provide resources and training to soldiers, the UN has also prevented the effective implementation of gender norms in peace operations. Specifically there are no institutional mechanisms in place within the UN to diffuse a uniform gender policy among UN bodies and individual states. In the absence of a coordinating body like UNESCO to assert the value of the norm, in peacekeeping, this responsibility has fallen to the Secretary-General and the Secretariat¹¹⁹.

The Secretary-General takes on many roles in the establishment and implementation of UN peacekeeping operations¹²⁰. Though he frequently consults the Security Council, the Secretary-General's reports play an independent role by outlining the needs of a mission, recommending action, and requesting the authorization from the Security Council for troops and funds¹²¹. Furthermore, the Secretary-General's office is also responsible for formulating the budget of an operation, in addition to establishing the mission's rules of engagement¹²². Beneath the Secretary-General¹²³ is the Secretariat, which in peacekeeping operations estimates the dimensions and severity of the developments affecting peace and security and ultimately forms an integral part of determining what the Secretary-General tells the Security Council¹²⁴. When formulating the mandate of a mission, these individuals assess its needs and the needs of the local population. As such, it is these individuals that are largely responsible for the norm's diffusion. Unfortunately, MONUC makes evident the fact that bureaucrats have not internalized

¹¹⁹ Finnemore 1993, 593

¹²⁰ Ashi Akashi 1998, 129

¹²¹ Gordenker 2005, 36

¹²² Shimura 2001, 52

¹²³ United Nations, 2004

¹²⁴ Gordenker 2005, 36

the need to conduct gender analyses and include a gender perspective in peace, hindering the implementation of the norm.

7.2 *The Secretariat: A Failure to Institutionalize and Internalize Gender Norms*

Recognizing the most effective way for gender mainstreaming to become a necessary component of organizational structure, the DPKO has stated, “A clear commitment to the promotion of gender equality in the entire mission is required from the inception of the mandate until its end... translated into concrete actions in all areas of the mission and should be the responsibility of the mission, particularly senior managers¹²⁵”. Unfortunately, this did not occur in MONUC as the Secretariat failed to advocate a gender responsive mandate.

Since liaison officers arrived in 1999, the Secretary-General intermittently reported incidences of gender-based violence in the DRC. However, while specific calls were made for the protection of children, the same were not made for women¹²⁶. In June 2001, the Secretary-General’s Eighth Report made the first explicit reference to the targeted violence against women and the need to consider their protection. The report stated, “the enormity of the human rights violations inflicted on women, men and children alike” require the UN to “examine what it can do to help prepare for the situation which may develop following the withdrawal of foreign forces”¹²⁷. Though significant, this statement came *after* the Security Council made stronger reference to the need to protect women in the DRC, as well as eight months after the Security Council passed resolution 1325, and three years after the Rome Statute recognized rape as a war

¹²⁵ UN DPKO, 2004

¹²⁶ Secretary General. 2000. Report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo. Available from: <http://www.un.org/Docs/sc/reports/2000/sgrep00.htm> Accessed 13 July 2008.

¹²⁷ United Nations Secretary General 2001. Eighth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo. Available from: <http://www.un.org/Docs/sc/reports/2001/sgrep01.htm>. Accessed 14 July, 2008

crime. Thus, despite significant rhetoric, gender mainstreaming and its institutional advancements have not become automatic behaviour within the Secretariat, hindering the implementation of gender policies in MONUC. Thus, even with the necessary resources the absence of a gender-responsive mandate would have prevented the implementation of gender norms.

Indeed, despite a 2001 commitment from the Secretary-General to diffuse gender mainstreaming in peace operations, MONUC's peacekeepers have never been given clear rules of engagement to prevent crimes of sexual violence from occurring among the civilian population¹²⁸. The high demands on MONUC's varied tasks mean that, where protecting women in conflict has not become an internalized norm among peacekeepers, troops "may ignore anything they are not asked explicitly to do"¹²⁹. Further to this point, interviews suggest that women's groups have requested MONUC increase security in target locations where women are frequently attacked. However, MONUC and the National Congolese Army have been reluctant to listen to such requests¹³⁰. With violence against women increasingly committed by civilians in addition to men in uniform, a lack of clear mandate represents a real operational problem for the mission and a failure of MONUC to implement the Beijing Platform for Action and resolution 1325¹³¹.

7.3 *Gender Norms and the Deployment and Operation of MONUC*

The urgency that surrounds the origin and deployment of peacekeeping operations require the Secretary-General and the Secretariat to act quickly to raise and dispatch a mission,

¹²⁸ UNDP, 2008.

¹²⁹ HRW, 2008

¹³⁰ Author's interview with Rachel Logel with contributions from World Vision. July 2008

¹³¹ United Nations, 2007

with no institutional mechanisms requiring the guidance of political organs such as UNIFEM, which could insist on gender awareness¹³². Compounding the problem, bureaucrats and mission planners perceive there to be no room or time for gender-based analyses as it is believed there are more ‘important’ and pressing tactical and logistical concerns to be addressed than gender-based violence¹³³. Gender analyses are viewed as ‘harmful’ to the ‘real’ work of saving lives¹³⁴. This works against the establishment of institutional mechanisms such as good training and briefings on gender before the mission's deployment, and extends to poor implementation in the field¹³⁵.

Cohesive organizations are better able to socialize individuals into new norms by generating consistent ideas¹³⁶. In UN peacekeeping operations however, interventions in crisis-affected countries originate in six operational agencies (UNHCR, UNICEF, WHO, WFP, FAO, UNDP)¹³⁷ in addition to the DPKO. Each agency has its own mandate, administrative structure, and policies for addressing the needs of women in conflict situations¹³⁸. Women’s groups operating in the DRC have indicated that this has resulted in a lack of coordination among UN agencies, hindering the effective implementation of programmes. Specifically it was reported that in the DRC, one UN agency will create a programme on, for example, sexual violence, and then another agency will arrive and establish an overlapping programme. This wastes the limited money and resources programmes have¹³⁹. Additionally, conflicts have arisen over which agency

¹³² Shimur 2001, 47

¹³³ Raven-Roberts 2005, 57

¹³⁴ Ibid

¹³⁵ Ibid..55

¹³⁶ Hooghe, 2005, 865

¹³⁷ Howard 2008, 308

¹³⁸ Raven-Roberts 2005, 48

¹³⁹ Author's interview with Gisèle Eva Côté, Rights and Democracy, August 2008.

is responsible for which task, resulting in the ineffective implementation of programs and gaps in implementation¹⁴⁰.

Implementation of gender policies has also suffered because the OGA is restricted to five personnel¹⁴¹. Additionally, MONUC's limited resources have been centralized by the DPKO in the capital Kinshasa, despite the fact that the majority of violence against women occurs in eastern Congo and away from cities. This reduces the operational and implementation capacity of the UN to support gender equality and rights, as MONUC's ability to respond and prevent gender-based violence is reduced the further away from the capital the violence is located¹⁴².

In 2005, the UN opened a gender section in Bukavu and a team of nine people was established to travel the country and meet with local Congolese to determine local realities¹⁴³. Unfortunately, like the office in Kinshasa, the Bukavu team lacked resources. Interviews suggest that with the creation of these offices and their limited staff, the UN has simply been following a logic of consequences, establishing offices that appear to conform to gender norms, but failing to provide them with the necessary resources to implement them. In fact, in the civil branches of MONUC, the UN has been known to maintain that there is a gender office established even when it does not have any staff inside¹⁴⁴.

7.4 *Gender Training in MONUC*

The implementation of training sessions is an indication that a process of institutionalization of gender principles is in motion, as well as an attempt to socialize soldiers in MONUC to gender norms. It is important that this training occur at the state and field mission level as it ensures that

¹⁴⁰ Howard 2008, 308

¹⁴¹ Higate 2004, 18

¹⁴² Mduwimana. 2006, 28

¹⁴³ MONUC, 2006b

¹⁴⁴ Author's interview with Gisèle Eva Côté , Rights and Democracy, August 2008

all peacekeepers receive the same gender training and are given context-specific information regarding the plight of women in the area of deployment. Unfortunately, while a few individuals such as the SRSG have supported gender training in MONUC, indifference and resistance from those needed to diffuse and internalize the gender norm have challenged this socialization. For example, when the SRSG for MONUC requested the Gender Advisor organize a two-hour concluding session for senior staff in Kinshasa¹⁴⁵, the turnout of senior staff, and heads of units was low, indicating a weak level of institutional support from senior staff for gender mainstreaming within MONUC¹⁴⁶ and limiting the effectiveness of training.

Additionally, despite the DPKO's creation of policy guidelines, checklists, and gender manuals to ensure in the field implementation, few mechanisms have been established by the Secretariat to ensure that gender programmes are actually implemented. With no mechanisms to hold managers accountable for not implementing policy, training programmes have not moved beyond rhetorical institutionalization. This has prevented personnel from being educated on gender norms and beginning the process of internalization¹⁴⁷. For instance, institutionalization began in the field with the "Training the Trainers" package. Unfortunately, the context-specific data on the conditions of local women needed to modify the package to MONUC was not collected¹⁴⁸. As a result, implementation suffered, and the impact of the package was limited to a gender awareness-raising tool¹⁴⁹. This, combined with a lack of accountability mechanisms questions how seriously UN personnel in the Secretariat have internalized the need to implement training programmes in the field, resulting in soldiers not being equipped to respond to the needs of the local Congolese population.

¹⁴⁵ Pillay 2006, 119

¹⁴⁶ Puechguirbal 2003, 119

¹⁴⁷ Raven-Roberts 2005, 57

¹⁴⁸ Puechguirbal 2003, 116

¹⁴⁹ Higate 2004, 7

7.5 *Preventing and Investigating Misconduct by Peacekeepers in the Field*

States carry the responsibility of prosecuting soldiers that have been implicated in crimes of sexual abuse and exploitation. It is the responsibility of the UN, however, to establish mechanisms to prevent such exploitation from occurring in the field, as well as mechanisms for women to file complaints, and investigate claims when such reports are filed.

When an allegation is made the SRSG usually calls a board of inquiry to investigate. Where the case involves an alleged perpetrator from a national military contingent, the board of inquiry also invites a representative from the contingent to sit on the board¹⁵⁰. The board then recommends appropriate action against the perpetrator¹⁵¹. However, when foreign civilians in MONUC commit crimes, the poor legal mechanisms in the DRC make the country unable to cope with prosecuting crimes, and MONUC does not have any mechanisms to deal with such civilian abuses¹⁵². Furthermore, despite repeated requests to the UN, interviews suggest that local women are never made aware of the outcomes of investigations or subsequent trials, nor are they granted compensation¹⁵³. This creates a situation where there are few institutional mechanisms in place to deter exploitation, spreading a culture of impunity and harming MONUC's reputation.

Abuse by peacekeepers has not been completely unaddressed by the UN. To prevent inappropriate contact between them and local women, MONUC has sought to establish institutional rules and regulations that prohibit peacekeepers from "fraternizing" with the local population by restricting their interactions to certain times of day and locations¹⁵⁴. However, the UN Secretariat has provided few resources to implement these policies and reduce exploitation.

¹⁵⁰ Hampson and Kihara-Hunt. 2007, 206

¹⁵¹ Ibid., 213

¹⁵² Howard 2008, 309

¹⁵³ Author's interview with Gisèle Eva Côté, Rights and Democracy, August 2008

¹⁵⁴ Howard 208, 309

This indicates a failure by the UN to implement the commitments made in resolution 1325 to protect women in girls in conflict zones and institutionalize deterrence mechanisms. As a result, allegations of misconduct continue in MONUC, with investigations being conducted as recently as May 2008, by MONUC's Office of Internal Oversight¹⁵⁵.

7.6 *Gender Norms in Post-Conflict Recovery*

The DDR(RR) of former combatants is a main priority of MONUC. In this process UN peacekeepers disarm combatants by directly collecting arms, destroying them, and making efforts to reintegrate fighters to productive endeavours¹⁵⁶. While the government is formally responsible for planning and coordinating the implementation of the DDR(RR) program, MONUC and other UN agencies are heavily involved. UNIFEM has been the main agency responsible for driving the inclusion of gender-specific analyses and programmes in the DDR(RR) process¹⁵⁷.

Approximately one third of soldiers recruited in the DRC conflict are women. In response to this reality, the UN has made significant advances to alter the traditional UN DDR(RR) mandate that focused on able-bodied men to institutionalize a gender approach in MONUC¹⁵⁸. The OGA and the long term Gender and DDR(RR) Technical Group, have tried to introduce practical measures into orientation centres to better identify ex-combatants, with a view to developing a mechanism of identification for dependents¹⁵⁹. Unfortunately, women affected by conflict either as captive "wives" or sexual slaves are considered neither as dependents nor as

¹⁵⁵ United Nations-MONUC. 2008. Available from: www.monuc.org/news.aspx?newsID-17899. Accessed 4 July 2008

¹⁵⁶ Boothy. 2004, 216

¹⁵⁷ Nduwimana 2006, 16

¹⁵⁸ World Vision. Crisis in the Democratic Republic of the Congo. Available from: http://www.worldvision.org/worldvision/wvusufso.nsf/stable/globalissues_drc?open&lid=dr_of_congo&lp_os=leftnav. Accessed 28 May 2008

¹⁵⁹ MONUC, 2003d

combatants and as such, their needs have not been defined or incorporated into the programme¹⁶⁰. Furthermore, MONUC has not been mandated to account the basic needs of dependents such as transportation, health care, and lodging at the time of DDR(RR)¹⁶¹. In response the OGA is working in partnership with the MONUC Human Rights division to undertake a study on the living conditions of dependents and ex-combatants. The investigation aims to recommend direct intervention and financing within the national disarmament programme- or even outside the programme¹⁶². Advancements in institutionalizing gender mainstreaming have occurred in DDR(RR), with the gender office attempting to expand this program in a more comprehensive manner. Implementation of this program, like so many others, currently remains limited.

7.7 *Women and the Peace Process*

Women have been victims of catastrophic abuse, but they can also make important contributions to the peace process. When MONUC facilitated the Goma peace talks in January 2008, there was not a single individual at the peace table directly representing the women of the DRC¹⁶³. This occurred despite the existence of resolution 1325 that called for women to be active participants in all peace deliberations, and the fact that women have been the targeted victims of the war that the peace talks were meant to resolve. According to interviews, the UN could do more to include women in these processes. UN officials have influence over the selection of participants, and often when they do include women. However, they invite women that are not connected with the base of women's groups in the DRC or they bring scholars and

¹⁶⁰ Nduwimana 2006, 17

¹⁶¹ UN DPKO 2004, 132-134

¹⁶² MONUC, 2005d

¹⁶³ Lewis, 2008.

women that do not live in DRC anymore and not connected to the realities that every day women in the DRC suffer¹⁶⁴.

The documents produced at Goma included an "Act of Engagement" for an immediate ceasefire¹⁶⁵. This was a peace commitment signed amongst the warring parties, yet in the entire document, the words "rape" and "sexual violence" never appear. Women are mentioned only once, lumped in with children, the elderly and the disabled. The document effectively neglects to recognize any language within the UN system that addresses the needs of women, like resolution 1325 and the Beijing Platform for Action¹⁶⁶. Furthermore, in direct contradiction with resolution 1325, the peace document also grants amnesty to those who have participated in the fighting. Though the document makes a deliberate legal distinction that war crimes or crimes against humanity will not be excused, individual acts of rape and abuse are unaddressed, spreading the culture of impunity¹⁶⁷.

In sum, while some limited efforts have been made, it is apparent the UN Secretariat has failed to institutionalize and internalize gender norms within MONUC. This is evident by the failure of the Secretariat to conduct a gender responsive analysis of the conflict in the DRC at the inception of the mission, its failure to provide a mandate and the rules of engagement that call for the protection of women in conflict, its failure to implement mechanisms to deter acts of sexual violence by peacekeepers, and finally through its failure to include women in the peace process.

¹⁶⁴ Author's interview with Gisèle Eva Côté , Rights and Democracy, August 2008

¹⁶⁵ UN Office for the Coordination of Humanitarian Affairs. May 14, 2008. "DRC: After Two Key Deals, What Progress Towards Peace in North Kivu?"
<http://www.irinnews.org/Report.aspx?ReportId=78205>

¹⁶⁶ International Crisis Group. "Conflict in Congo" February 2008.
<http://www.crisisgroup.org/home/index.cfm?id=2829>

¹⁶⁷ Lewis, 2008

8 Conclusion

It is possible that MONUC is the beginning of gender mainstreaming in peace support operations and could be part of the process that begins the internalization and institutionalization of this norm. At present, however, what this mission has shown is the difficulties of implementing a rhetorical norm into practice when the institutionalization and internalization of the norm has not been complete among states and the UN bureaucracy. MONUC is a case where there has been a failure of states to authorize the necessary resources and deter acts of sexual violence among peacekeepers and the local population. Simultaneously, there has been a separate failure by the UN Secretariat to establish a gender responsive mandate and objectives for MONUC and the women of the DRC. The result is an incomplete implementation of the gender norm within MONUC, which rests with both member states, and the Secretariat. Consequently, women and girls continue to suffer unprecedented violence in the DRC.

BIBLIOGRAPHY

- Akashi, Yasu Ashi. 1998. Managing United Nations Peacekeeping in *United Nations Peacekeeping in Trouble: Lessons Learned from the Former Yugoslavia* Edited by Wolfgang Biermann and Martin Vadest. 1-367. Aldershot: Ashgate.
- Bedont, Barbara. 2005. The Renewed Popularity of the Rule of Law: Implications for Women, Impunity, and Peacekeeping in *Gender, Conflict, and Peacebuilding* Edited by: Dyan Mazurana, Angela Raven-Roberts, and Jane Parpart. 1-404. Lanham: Rowman and Littlefield Publishers Inc.
- Bellamy, Alex J. and Paul Williams. 2004. Conclusion: What Future for Peace Operations? Brahimi and Beyond *International Peacekeeping* (11)1. 183-212
- Beri, Ruchita. 2008. India's Role In Keeping Peace in Africa. *Strategic Analysis* (32) 2: 211-223
- Boothy, Derek. 2004. *Disarmament: Success and Failures in The United Nations: Confronting the Challenges of a Global Society*. Edited by Jean Krason. 193-224 Boulder: Lynne Rienner Publishers.
- Campbell, Kristen. 2004. Rape as a 'crime against humanity': trauma law and justice in the ICTY *Journal of Human Rights* 2 (1): 507-515.
- Checkel, Jeffery. 1999. Norms, Institutions and National Identity in Contemporary Europe *International Studies Quarterly* 43(1): 803-825
- Diehl Paul, Daniel Druckman, and James Wall. 2008. International Peacekeeping and Conflict Resolution: A Taxonomic Analysis with Implication. *Journal of Conflict Resolution*. Vol. 42 (1) : 33-55.
- Economist, The. Atrocities Beyond Words. May 1st, 2008. Available from: http://www.economist.com/research.articlesBySubject/displaystory.cfm?subjectID=5189846&story_Id=11294767. Accessed 15 May 2008
- Elgström, Ole. 2001. Norm negotiations. The construction of new norms regarding gender and development in EU foreign Aid Policy. *Journal of European Public Policy* 7(3). 457-476.
- Finnemore, Martha 1993. International organizations as teachers of norms: the United Nations Educational, Scientific, and Cultural Organization and science policy. *International Organization*, Vol. 47 (4): 565-597
- Finnemore, Martha and Kathryn Sikkink. 1998. International Norm Dynamics and Political Change. *International Organization* 52(4): 887-917
- Gordenker, Leon. 2005. *The UN Secretary General and Secretariat* London: Routledge. 1-112.

- Hampson, Françoise J. and Ali Kihara-Hunt. 2007. The Accountability of Personnel Associated with Peacekeeping Operations. in *The Unintended Consequences of Peacekeeping Operations* Edited by Chiyuki Aoi, Cedric de Coning and Ramesh Thakur. 3-292. Tokyo: United Nations University Press
- Higate, Paul. 2004. Gender and Peacekeeping. Case Studies: The Democratic Republic of the Congo and Sierra Leone, *ISS Monograph Series* (91) Available from: <http://www.iss.org.za/pubs/Monographs/No91/Contents.html>. Accessed 1 June 2008.
- Hooghe, Liesbet 2005. Several Roads Lead to International Norms, but Few Via International Socialization: A Case Study of the European Commission. *International Organization*, (59): 861-898
- Howard, Lise Morjé. 2008. *UN Peacekeeping in Civil Wars*. Cambridge: Cambridge University Press. 1-402
- (HRW, 2002) Human Rights Watch. June 2002. The War within the War: Sexual Violence Against Women and Girls in Eastern Congo. Available from www.hrw.org/reports/2002/drc/Congo0602.pdf. Accessed: 17 May, 2008
- (HRW, 2004) Human Rights Watch. 2004. Briefing Paper. Democratic Republic of the Congo: Confronting Impunity. Available from: <http://www.hrw/english/docs/2004/02/congo7230.html> Accessed 18 May, 2008
- (HRW 2008) Human Rights Watch. 2008. UN: Empower Peacekeepers to Stop Rape. Available from: <http://hrw.org/english/docs/2008/06/10/global19094.htm> Accessed 2 July 2008.
- International Alert. 2002. Gender Mainstreaming in Peace Support Operations: Moving Beyond Rhetoric to Practice. Available from: www.cities-localgovernments.org/.../gendermainstreaminginpeacesupportoperations-fromrhetorictopractice.pdf. Accessed 13 May 2008
- Johnston, Alistair Ian. 2001. Treating International Institutions as Social Environments *International Studies Quarterly* 45: 487-515
- Kent, Vanessa. 2007. "Protecting Civilians from UN Peacekeepers and Humanitarian Workers: Sexual Exploitation and Abuse" in *The Unintended Consequences of Peacekeeping Operations* Ed. Chiyuki Aoi, Cedric de Coning and Ramesh Thakur 1-292. Tokyo: United Nations University Press.
- Kirk, Jackie and Suzanne Taylor. 2004. UN Security Council Resolution 1325 *Forced Migration Review*.
- Lewis, Stephen. 2008. Protecting the Women of the Congo. Available from: <http://www.thenation.com/doc/20080428/lewis>. Accessed 15 July, 2008.

- Mackay, Angela. 2003. Training the Uniforms: Gender and Peacekeeping Operations *Development in Practice*. (13) 2/3: 217-222.
- Masson, Katrina. The Use of Force and Civilian Protection: Peace Operations in the Congo *International Peacekeeping*. (12) 4 2005. 500-523
- Murphy, Ray 2006. An Assessment of UN Efforts to Address Sexual Misconduct by Peacekeeping Personnel *International Peacekeeping* (13) 4, 531-546
- Myytikäinen, Minna. 2007. Gender Training for Peacekeepers: Preliminary Overview of United Nations Peace Support Operations. Working Paper. *Gender, Peace, & Security*. 2-24
- Nduwimana, Françoise. Canadian Peacebuilding Coordinating Committee. 2006. *Canada's Support for the Implementation of United Nations Security Council Resolution 1325 on Women, Peace and Security in the African Great Lakes Region*. 2-37.
- Office of the United Nations High Commissioner for Human Rights. 2008. The Human Rights Situation in the Democratic Republic of the Congo, During the Period of July to December 2006. Available from:
[www.unog.ch/80256EDD006B9C2E/\(httpNewsByYear_en\)/C56B5264CF2BA318C125741A006D46BE?OpenDocument](http://www.unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/C56B5264CF2BA318C125741A006D46BE?OpenDocument) - 46k. Accessed 2 June 2008.
- Pillay, Anu. Gender, Peace, and Peacekeeping: Lessons from Southern Africa. *International Security Studies* (128): 1-12
- Puechguirbal, Nadine. 2003. Gender Training for Peacekeepers: Lessons from the Democratic Republic of the Congo. *International Peacekeeping*. (10) 4, 113-128
- Raven-Roberts, Angela. 2005. Gender Mainstreaming in United Nations Peacekeeping Operations in Gender, Conflict, and Peacekeeping. Ed. Dyan Mazurana, Angela Raven-Roberts, and Jane Parpart. Lanham: Rowman and Littlefield Publishers Inc. 1-304
- Roessier, Philip and John Prendergast. 2006. Democratic Republic of the Congo in *Twenty-First Century Peace Operations*. Edited by William J. Durch (Washington: United States Institute of Peace. 1-651
- Sandis, Eva. 2006. United Nations Measures to Stop Violence Against Women. *New York Academy of Science*. 370-383
- Shimura, Hisako. 2001. The Role of the UN Secretariat in Organizing Peacekeeping in United Nations Peacekeeping Operations, Ad Hoc Missions, Permanent Engagement. Ed. Ramesh Thakur and Albrecht Schnabel. Hong Kong: The United Nations University Press. 1-265.

- Smythe, Amy. 2003. Gender Advisor in MONUC on 1325 UN Security Council Presentation. Available from: www.peacewomen.org/un/SCOpenDebate2003/Smythe2003.html. Accessed 13 July 2008
- True. Jaqui and Michael Minstrom. 2001. Transnational Networks and Policy Diffusion: The Case of Gender Mainstreaming *International Studies Quarterly* (45): 27-57
- United Nations. 2002. *Women, Peace and Security*. New York: United Nations Publication
- _____. 2004. Secretariat. Available from: <http://www.un.org/documents/st.htm> Accessed 1 June 2008.
- _____. 2007. South Kivu: 4,500 Sexual Violence Cases in the First Six Months of this Year Alone. <http://www.monuc.org/new.aspx?newsID=15065&menuOpened=A.org> Visited 25 May 2008
- United Nations Department of Economic and Social Affairs. 2006. *Agreed Conclusions of the Commission on the Status of Women on the critical Areas of Concern of the Beijing Platform for Action 1996-2005*. New York: United Nations Publications 1-213
- (UNDPI) United Nations Department of Public Information. 2008 "Security Council Demands Immediate and Complete Halt to Acts of Sexual Violence" Available from: www.un.org/news/press/docs/2008/sc9364.doc.html Accessed: June 26, 2008
- (DAW) United Nations Division for the Advancement of Women. 2001. *From Beijing to Beijing +5* New York: United Nations Publication: 3-297.
- _____. (DAW, 2007) 2008. Convention on the Elimination of All forms of Discrimination Against Women. Available from: <http://www.un.org/womenwatch/daw/cedaw/cedaw.htm> Accessed 16 May 2007.
- (UN DPKO, 2001) Department of Peacekeeping Operations. 2001. MONUNC. Available from: <http://www.un.org/Depts/dpko/missions/monuc/monucDrs.htm>. Accessed 13 May 2008.
- _____. (UN DPKO, 2004) 2004. *Gender Resource Package for Peacekeeping Operations in the United Nations Department of Peacekeeping Operations*: 1-230
- _____. (UN DPKO, 2007) 2007. Available from: <http://www.un.org/Depts/dpko/missions/monuc/monucDrs.htm> Accessed July 10, 2008
- _____. (UN DPKO, 2008) 2008. Democratic Republic of the Congo. Available from: www.un.org/depts/dpko/missions/background.html. Accessed July 10, 2008
- _____. (MONUC, 2005a) United Nations- MONUC. 2005. Gender Activities. Available from:

<http://www.monuc.org/news.aspx?newsID=11529&menuOpened=A.org> Accessed 13 May 2008.

_____. (MONUC, 2005b) 2005. Gender Mandate. Available from:
<http://www.monuc.org/news.aspx?newsID=726>. Accessed 13 May 2008.

_____. (MONUC, 2005c) 2005. Training. Available from:
<http://www.monuc.org/news.aspx?newsID=9170&menuOpened=A.org> Accessed 13 May 2008

_____. (MONUC, 2005d) 2005. Women and Security. Available from:
<http://www.monuc.org/news.aspx?newsID=732&menuOpenend=A.org>. Accessed 13 May 2008

_____. (MONUC, 2006a) 2006. Budget. Available from:
<http://www.monuc.org/news.aspx?newsID=11533&menuOpened=A.org>. Accessed 13 May 08

_____. (MONUC, 2006b) 2006. Mandate. Available from:
<http://www.monuc.org/news.aspx?newsID=11529&menuOpened=A.org>
Accessed 13 May 2008.

_____. (MONUC, 2006c) 2006. Mission Staff: Military Contributions.
Available from: www.monuc.org/contributions.aspx?lang=en&menuopened=A.org
Accessed 13 May 2008

_____. (MONUC, 2006d) 2006. Military History Available from:
<http://www.monuc.org/news.aspx?newsID=9166>. Accessed 22 July 2008.

_____. (MONUC, 2006e) 2006. Standards of Conduct. Available from:
<http://www.monuc.org/news.aspx?newsID=858> Accessed 13 May 2008.

_____. (MONUC, 2008) 2008. Executives Available from:
<http://www.monuc.org/News.aspx?newsID=9695> Accessed 22 July 2008.

United Nations Security Council. 2000. Resolution 1325 on Women Peace and Security. Available from: <http://www.un.org/Docs/scres/2000/sc2000.htm> Accessed 1 June 2008.

United Nations Transitional Assistance Group. 2001. The Namibia Plan of Action On 'Mainstreaming a Gender Perspective In Multidimensional Peace Support Operations' International Peacekeeping, (8) 2