

## KONTEKST:

Potrebno utvrditi pitanje silovanja žena i dece na istoku DR Konga, u cilju analize i donošenja odluke u konkretnom slučaju, a povodom zahteva za azil lica poreklom iz DR Konga, prema izjavi iznetoj na zahtevu za azil i usmenoj raspravi;

## PITANJE: Silovanje žena i dece na istoku DR Konga

## ODGOVOR:

Silovanja su česta pojava širom DR Konga, ali su učestalija na istoku zemlje.<sup>1 2 3</sup> Istok DR Konga se smatra za najnesigurnije mesto na svetu za žene.<sup>4</sup> Iako su vlasti u DR Kongu najavile državnu politiku nulte tolerancije prema seksualnom nasilju, ona nije sprovedena.<sup>5</sup> Kažnjavanje za seksualne zločine i dalje ostaje retka pojava u DR Kongu.<sup>6 7</sup>

Izbijanjem novih nemira tokom 2012.godine i razmeštanjem oružanih grupa na istoku DR Konga došlo je do povećanja seksualnog nasilja na toj teritoriji.<sup>8 9 10</sup>

Silovanja i seksualno nasilje koriste sve strane učesnice u konfliktu kao metod osvete protivničkim grupama, i metod zastrašivanja lokalnog stanovništva i obezbeđivanja pokornosti.<sup>11 12 13</sup>

Za brojna silovanja odgovorni su i pripadnici vojske DR Konga.<sup>14 15</sup> Prema nekim izveštajima samo u periodu od 15. novembra do 30. novembra. 2012.godine u oblasti oko

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<sup>1</sup> US Department of State: Country Report on Human Rights Practices for 2011 - Congo, Democratic Republic of the Congo / women, rape and domestic violence, 24 maj 2012.-[http://www.ecoi.net/local\\_link/217670/324300\\_en.html](http://www.ecoi.net/local_link/217670/324300_en.html) , pristupljeno 12.decembra 2012.

<sup>2</sup> HRW: World Report 2012: Democratic Republic of Congo/ Presidential and Legislative Elections-<http://www.hrw.org/world-report-2012/world-report-2012-democratic-republic-congo> , pristupljeno 11.decembra 2012. godine

<sup>3</sup> United Kingdom: Home Office, Country of Origin Information Report - The Democratic Republic of Congo, 9.mart 2012.godine- [http://www.ecoi.net/file\\_upload/90\\_1331559851\\_ukba-2012-03-09-drc-coireport.pdf](http://www.ecoi.net/file_upload/90_1331559851_ukba-2012-03-09-drc-coireport.pdf) , str 72

<sup>4</sup> War Child: Rape and sexual violence in Congo- <http://www.warchild.org.uk/issues/sexual-violence-in-congo> , pristupljeno 14.decembra 2012.godine

<sup>5</sup> United Kingdom: Home Office, Country of Origin Information Report - The Democratic Republic of Congo, 9.mart 2012.godine- [http://www.ecoi.net/file\\_upload/90\\_1331559851\\_ukba-2012-03-09-drc-coireport.pdf](http://www.ecoi.net/file_upload/90_1331559851_ukba-2012-03-09-drc-coireport.pdf) , str 134

<sup>6</sup> US Department of State: Country Report on Human Rights Practices for 2011 - Congo, Democratic Republic of the Congo / women, rape and domestic violence, 24 maj 2012.-[http://www.ecoi.net/local\\_link/217670/324300\\_en.html](http://www.ecoi.net/local_link/217670/324300_en.html) , pristupljeno 12.decembra 2012.

<sup>7</sup> United Kingdom: Home Office, Country of Origin Information Report - The Democratic Republic of Congo, 9.mart 2012.godine- [http://www.ecoi.net/file\\_upload/90\\_1331559851\\_ukba-2012-03-09-drc-coireport.pdf](http://www.ecoi.net/file_upload/90_1331559851_ukba-2012-03-09-drc-coireport.pdf) , str 127

<sup>8</sup> IRIN: DRC: Surge in sexual violence in North Kivu, 6.decembar 2012.- <http://www.irinnews.org/Report/96981/DRC-Surge-in-sexual-violence-in-North-Kivu>

<sup>9</sup> Relief Web: UN hits DR Congo rebels with sanctions, 1.januar 2013.- <http://reliefweb.int/report/democratic-republic-congo/un-hits-dr-congo-rebels-sanctions>

<sup>10</sup> UN news centre: Documentated cases of human rights abuse emerge against M23 armed group in DR Congo, 21.decembar 2012.- [http://www.un.org/apps/news/story.asp?NewsID=43836&Cr=democratic&Cr1=congo#.UPK-Jm\\_oRF5](http://www.un.org/apps/news/story.asp?NewsID=43836&Cr=democratic&Cr1=congo#.UPK-Jm_oRF5)

<sup>11</sup> War Child: Rape and sexual violence in Congo- <http://www.warchild.org.uk/issues/sexual-violence-in-congo> , pristupljeno 14.decembra 2012.godine

<sup>12</sup> United Kingdom: Home Office, Country of Origin Information Report - The Democratic Republic of Congo, 9.mart 2012.godine- [http://www.ecoi.net/file\\_upload/90\\_1331559851\\_ukba-2012-03-09-drc-coireport.pdf](http://www.ecoi.net/file_upload/90_1331559851_ukba-2012-03-09-drc-coireport.pdf) , str 47

<sup>13</sup> UNICEF: UNICEF Humanitarian action update-Democratic Republic of Congo, 4.avgust 2012.- [http://www.unicef.org/hac2012/files/UNICEF\\_DRC\\_Humanitarian\\_Action\\_Update\\_2012.pdf](http://www.unicef.org/hac2012/files/UNICEF_DRC_Humanitarian_Action_Update_2012.pdf) , str 2

<sup>14</sup> UN news centre: Documentated cases of human rights abuse emerge against M23 armed group in DR Congo, 21.decembar 2012.- [http://www.un.org/apps/news/story.asp?NewsID=43836&Cr=democratic&Cr1=congo#.UPK-Jm\\_oRF5](http://www.un.org/apps/news/story.asp?NewsID=43836&Cr=democratic&Cr1=congo#.UPK-Jm_oRF5)

grada Minove u provinciji Južni Kivu, zabeleženo je oko 126 slučajeva silovanja, od čega su 24 žrtve bile maloletne devojčice.<sup>16 17</sup> Za većinu ovih slučajeva navodno su odgovorni pripadnici vojske DR Konga, koji su zločine počinili pri povlačenju iz borbi oko grada Gome.<sup>18 19</sup> Povodom ovog nasilja vojska DR Konga je pokrenula istragu protiv svoja dva pripadnika.<sup>20 21</sup>

Mai –Mai milicije spadaju među grupe koje koriste devojčice kao robove i seksualno ih eksploatišu.<sup>22</sup> Osim žena i devojčica, poslednjih godina u porastu je i broj silovanih dečaka.<sup>23</sup>

Interno raseljene žene i deca su u posebnoj riziku od zloupotrebe, uključujući i rizik od silovanja.<sup>24 25 26</sup> Posebno su ugrožena interno raseljena deca jer se veliki broj njih nalazi bez roditelja ili staratelja.<sup>27</sup>

U kampu za interno raseljena lica Muganga III, koji se nalazi zapadno od grada Gome, u noći između 1. i 2. decembra 2012. upali su naoružani ljudi i silovali najmanje 12 žena.<sup>28 29 30</sup> Među njima su bile i tri devojčice.<sup>31</sup>

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<sup>15</sup> Relief Web: Documentated cases of human rights abuse emerge against M23 armed group in DR Congo,21.decembar 2012.- <http://reliefweb.int/report/democratic-republic-congo/documented-cases-human-rights-abuse-emerge-against-m23-armed-group>

<sup>16</sup> UN news centre: Documentated cases of human rights abuse emerge against M23 armed group in DR Congo,21.decembar 2012.- [http://www.un.org/apps/news/story.asp?NewsID=43836&Cr=democratic&Cr1=congo#.UPK-Jm\\_oRF5](http://www.un.org/apps/news/story.asp?NewsID=43836&Cr=democratic&Cr1=congo#.UPK-Jm_oRF5)

<sup>17</sup> Relief Web: Documentated cases of human rights abuse emerge against M23 armed group in DR Congo,21.decembar 2012.- <http://reliefweb.int/report/democratic-republic-congo/documented-cases-human-rights-abuse-emerge-against-m23-armed-group>

<sup>18</sup> UN news centre: Documentated cases of human rights abuse emerge against M23 armed group in DR Congo,21.decembar 2012.- [http://www.un.org/apps/news/story.asp?NewsID=43836&Cr=democratic&Cr1=congo#.UPK-Jm\\_oRF5](http://www.un.org/apps/news/story.asp?NewsID=43836&Cr=democratic&Cr1=congo#.UPK-Jm_oRF5)

<sup>19</sup> Relief Web: Documentated cases of human rights abuse emerge against M23 armed group in DR Congo,21.decembar 2012.- <http://reliefweb.int/report/democratic-republic-congo/documented-cases-human-rights-abuse-emerge-against-m23-armed-group>

<sup>20</sup> UN news centre: Documentated cases of human rights abuse emerge against M23 armed group in DR Congo,21.decembar 2012.- [http://www.un.org/apps/news/story.asp?NewsID=43836&Cr=democratic&Cr1=congo#.UPK-Jm\\_oRF5](http://www.un.org/apps/news/story.asp?NewsID=43836&Cr=democratic&Cr1=congo#.UPK-Jm_oRF5)

<sup>21</sup> Relief Web: Documentated cases of human rights abuse emerge against M23 armed group in DR Congo,21.decembar 2012.- <http://reliefweb.int/report/democratic-republic-congo/documented-cases-human-rights-abuse-emerge-against-m23-armed-group>

<sup>22</sup> United Kingdom: Home Office, Country of Origin Information Report - The Democratic Republic of Congo, 9.mart 2012.godine- [http://www.ecoi.net/file\\_upload/90\\_1331559851\\_ukba-2012-03-09-drc-coireport.pdf](http://www.ecoi.net/file_upload/90_1331559851_ukba-2012-03-09-drc-coireport.pdf) , str 72

<sup>23</sup> War Child: Rape and sexual violence in Congo- <http://www.warchild.org.uk/issues/sexual-violence-in-congo> , pristupljeno 14.decembra 2012.godine

<sup>24</sup> US Department of State: Country Report on Human Rights Practices for 2011 - Congo, Democratic Republic of the Congo / Internally displaced persons, 24 maj 2012.-[http://www.ecoi.net/local\\_link/217670/324300\\_en.html](http://www.ecoi.net/local_link/217670/324300_en.html) , pristupljeno 12.decembra 2012.

<sup>25</sup> Relief Web: Milions left at the mercy of militias and armed forces across eastern Congo/murder, rape, exploitation,20.decembar 2012.- <http://reliefweb.int/report/democratic-republic-congo/millions-left-mercy-militias-and-armed-forces-across-eastern-congo>

<sup>26</sup> Oxfam Interantional: Milions left at the mercy o militias and armed forces across eastern Congo/murder, rape, exploitation,18.decembar 2012.- <http://www.oxfam.org/en/pressroom/pressrelease/2012-12-18/millions-left-mercy-militias-and-armed-forces-across-eastern-congo>

<sup>27</sup> Relief Web: Children at risk of sexual violence, kidnap,28.decembar 2012.- <http://reliefweb.int/report/democratic-republic-congo/children-risk-sexual-violence-kidnap>

<sup>28</sup> IRIN: DRC:Surge in sexual violence in North Kivu, 6.decembar 2012.- <http://www.irinnews.org/Report/96981/DRC-Surge-in-sexual-violence-in-North-Kivu>

<sup>29</sup> UN News Centre: UN official stresses civilian protection on visit to areas affected by DR Congo violence, 9.decembar 2012.- <http://www.un.org/apps/news/story.asp?NewsID=43719&Cr=democratic&Cr1=congo#.UM6rNW9X3UY>

<sup>30</sup> UNICEF: UNICEF Democratic Republic of the Congo-FLASHREPORT #9, 3.decembar 2012.- <http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Democratic%20Republic%20of%20the%20Congo%20Flash%20Report%208.pdf>

<sup>31</sup> UNICEF: UNICEF Democratic Republic of the Congo-FLASHREPORT #9, 3.decembar 2012.- <http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Democratic%20Republic%20of%20the%20Congo%20Flash%20Report%208.pdf>

Uobičajna je praksa da žrtve silovanja ne govore o nasilju koje su pretrpele, najviše zbog „očuvanja porodične časti“.<sup>32</sup> Žrtve seksualnog i rodno zasnovanog nasilja trpe veliku stigmatu i diskriminaciju od strane društva.<sup>33</sup> Neke od porodica prisiljavaju žrtvu da se uda za svog silovatelja.<sup>35</sup>

Takođe supružničko silovanje je uobičajna pojava u DR Kongu, samo se o njoj manje raspravlja u javnosti, jer se to smatra kao unutrašnje porodično pitanje.<sup>36</sup>

#### KOMENTAR/ZAKLJUČAK:

Silovanje žena i dece široko rasprostranjeno posebno na istoku DR Konga. Odgovornost za silovanja se pripisuju svim učesnicima u sukobu, i pobunjeničkim grupama, tako i vojsci DR Konga. U posebnom riziku od seksualnog nasilja nalaze se interno raseljena lica. Usled ovakve situacije, bezbednost, pa i životi žena i devojčica na istoku DR Konga su veoma ugroženi.

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<sup>32</sup> US Department of State: Country Report on Human Rights Practices for 2011 - Congo, Democratic Republic of the Congo / women, reproductive rights, 24 maj 2012.-[http://www.ecoi.net/local\\_link/217670/324300\\_en.html](http://www.ecoi.net/local_link/217670/324300_en.html) , pristupljeno 12.decembra 2012.

<sup>33</sup> US Department of State: Country Report on Human Rights Practices for 2011 - Congo, Democratic Republic of the Congo / women, reproductive rights, 24 maj 2012.-[http://www.ecoi.net/local\\_link/217670/324300\\_en.html](http://www.ecoi.net/local_link/217670/324300_en.html) , pristupljeno 12.decembra 2012.

<sup>34</sup> Relief Web: CARE trains men and women in eastern Congo to detect and prevent sexual violence,17.decembar 2012.-<http://reliefweb.int/report/democratic-republic-congo/care-trains-men-and-women-eastern-congo-detect-and-prevent-sexual>

<sup>35</sup> US Department of State: Country Report on Human Rights Practices for 2011 - Congo, Democratic Republic of the Congo / women, reproductive rights, 24 maj 2012.-[http://www.ecoi.net/local\\_link/217670/324300\\_en.html](http://www.ecoi.net/local_link/217670/324300_en.html) , pristupljeno 12.decembra 2012.

<sup>36</sup> Relief Web: CARE trains men and women in eastern Congo to detect and prevent sexual violence,17.decembar 2012.-<http://reliefweb.int/report/democratic-republic-congo/care-trains-men-and-women-eastern-congo-detect-and-prevent-sexual>