

## Concept Note and Plan of Action Security Sector Reform (SSR) and Sexual Violence

### Concept Note

This Concept Note and Plan of Action on Security Sector Reform (SSR) and Sexual Violence (SV)<sup>1</sup> constitute one of four components of the Comprehensive Strategy on Sexual Violence. It has been developed by the Office of the UN Senior Adviser for Sexual Violence, within the framework of the Task Force on Sexual Violence and the inter-agency Working Group on SSR, led by MONUC's SSR section. The aim is for this component to be incorporated eventually into the work plan of the SSR Working Group.

The intention is to ensure that the burgeoning SSR agenda in DRC incorporates concrete practical initiatives that would assist in combating sexual violence in DRC. Key aspects of this are a focus on training and awareness raising amongst the DRC security forces and agents (PNC and FARDC), the establishment or strengthening of accountability mechanisms, and the need to introduce a vetting mechanism. A vital facet is to link this with ongoing justice reform initiatives especially military justice, the demobilization and disengagement plans for armed groups and the reform of the FARDC.

**Three overall objectives** for combating sexual violence as part of SSR have been identified:

1. **Accountability:** Security agents and forces need to both prevent and respond effectively to sexual violence and ensure that any perpetrators of sexual violence crimes are held accountable.
2. **Vetting:** Reform processes under way for security agents and forces need to incorporate mechanisms aimed at excluding individuals who lack integrity, in line with international human rights standards and best practices.
3. **DDR/Brassage:** The disarmament and disengagement processes need to include special procedures to assist survivors of sexual violence.

### **Rationale:**

Existing data indicates that in areas of conflict, the majority of perpetrators of sexual violence are members of the security forces or armed groups. E.g. Currently in Eastern DRC perpetrators are mainly associated with FARDC, CNDP, FDLR, LRA, ADF-NALU and Mai Mai. To illustrate, in Goma alone, in the course of fifteen days (29 October-14 November 2008), some 84 new cases of sexual violence were reported, allegedly with FARDC involvement. Furthermore, very few if any prosecutions have either taken place or succeeded, either through the military justice system or via internal accountability mechanisms.

Following the 21 February 2007 (S/PRST/2007/3) SC Presidential statement, recognizing the need to consider national SSR priorities within UN operational mandates, MONUC designed a SSR strategy to support the government of DRC to manage national security challenges in the post-transition period. The strategy sets out three objectives to be implemented together with partners: (1) encourage and assist the GoDRC to start a national process to define its Concept of National Security and develop a National Security plan (NSP); (2) assist, facilitate and support GoDRC to develop a sub-sectoral reform plan for defense, police, prisons and justice; (3) assist and support the GoDRC to complete remaining transitional tasks and strengthen the immediate management and operational needs of security sector actors.

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<sup>1</sup> This document was amended on the 14<sup>th</sup> of April 2009

An SSR Working Group involving all international actors with SSR related activities was created as a platform for coordination, discussion and implementation of the SSR MONUC strategy. The activities of the SSR Working Group are framed by the January 2008 *SG Report on Security, Peace and Development: the role of the United Nations in Supporting Security Sector Reform* and *S/RES/1756 (2007) Resolution on the Situation concerning the DRC* which mandates MONUC to:

- (a) Provide in the short term basic training, including in the area of human rights, international humanitarian law, child protection and the prevention of gender based violence, to various members and units of the FARDC integrated brigades deployed in the eastern part of the Democratic Republic of the Congo with a view to enhancing their capacity to carry out the missions referred to in subparagraph (l) above;
- (b) In coordination with international partners, continue to develop the capacities of the Congolese national police and related law enforcement agencies in accordance with internationally recognized standards and norms on human rights, proportionate use of force and criminal justice, including the prevention, investigation and prosecution of cases of gender-based violence, by providing technical assistance, training and mentoring support;
- (c) In coordination with international partners, advise the Government in strengthening the capacity of the judicial and correctional systems, including the military justice system;
- (d) In coordination with international partners, contribute to the efforts of the international community to assist the Government in the initial planning process of the reform of the security sector;

[S/RES/1756 (2007)]

Resolution 1794 (2007) on the *Situation Concerning the DRC* extended MONUC's mandate until December 2008 and urges the Government of the DRC, to end violence and bring the perpetrators, as well as the senior commanders under whom they serve, to justice. The resolution also explicitly requested MONUC to undertake a thorough review of its efforts to prevent and respond to sexual violence, and to pursue a comprehensive mission-wide strategy, in close cooperation with the United Nations Country Team and other partners, to strengthen prevention, protection, and response to sexual violence, including through training for the Congolese security forces in accordance with its mandate, and to regularly report, on actions taken in this regard, including factual data and trend analyses of the problem;

[S/RES/1794 (2007)]

Resolution 1856 (2008) on the *Situation Concerning the DRC* extends MONUC's mandate until December 2009 and urges MONUC to provide military training on human rights and specifically on the prevention of sexual violence to FARDC integrated brigades in Eastern DRC. It also requests MONUC, in coordination with the international community, to support the GoDRC in the planning of the security sector reform process. Additionally, it reiterates its call upon the Congolese authorities to establish a vetting mechanism.

[S/RES/1856 (2008)]

Consequently, the UN SSR mandate in DRC is focused on the military, police and justice. The range of activities are limited and do not provide the UN with a leading role in SSR. Intelligence and Border services are not included.

The rationale for incorporating sexual violence into the broader SSR agenda falls within the scope of S/RES/1756, S/RES/1794 and S/RES/1856 and is also underscored by the wider international peace and security agenda by the UN Security Council in other resolutions.

Resolution 1820 (2008) on *Sexual Violence in Conflict* explicitly links sexual violence with the maintenance of international peace and security. It underscores the need for states to prosecute perpetrators of sexual violence; and firmly situates efforts to prevent and respond to sexual violence

within a broader context of women's empowerment and their full participation in conflict resolution and peace processes;

Resolution 1325 (2000) on Women, Peace and Security specifically addresses the disproportionate and unique impact of war on women, and women's under-utilized contributions to conflict resolution. The resolution requires parties to support women's participation in peace negotiations and in post conflict reconstruction. Among other recommendations the Resolution calls for: prosecuting perpetrators for crimes against women and involving more women in negotiations, peace talks and post-war reconstruction planning

Sexual violence is a cross-cutting issue that needs to be reflected across a broader SSR strategy with a special focus on the PNC, FARDC and justice sector reform. Opportunities also exist to include practical interventions to combat sexual violence through various ongoing processes and complementary initiatives. This strategy aims to ensure linkages with the following:

- The United Nations Support Security and Stabilization Strategy UNSSSS (UNSSSS) is a plan aimed at stabilizing Eastern DRC and protecting civilians by improving the security environment and extending state authority through a combination of integrated political, military, development and humanitarian initiatives along clearly identified geographical axes. A sub-component and accompanying roll-out plan on Sexual violence is under development and will form part of this strategy.
- A National Plan for the Stabilization and Reconstruction of Eastern DRC has been developed and launched in March 2009. Efforts are underway to ensure adequate consideration of sexual violence initiatives in a coherent and concrete manner throughout this plan.
- Demobilization and Disengagement plans and programs and building a unified national army all are ongoing processes. These include remaining case load from DDR, as well as *Brassage*/ integration into national army processes;
- The Plan Mixte FARDC/PNC pour la lutte contre les violences sexuelles et impunie, developed within the framework of the *Initiative Coinjointe*, proposes the inclusion of sexual violence in its interventions in both security and judicial spheres.
- Development of a vetting mechanism for state institutions, in line with the Rule-of-Law, Tools for Post-conflict states – Vetting: An Operational Framework<sup>2</sup>
- Policy recommendations from the international conference “Women Targeted or Affected by Armed Conflict: what Role for Military Peacekeepers,” (Wilton Park, 2008) including an emphasis on accountability for domestic military prosecutions and strengthening the criminal justice system.
- The Work Plan of the Sous Groupe Thématique Violences Sexuelles, led by the Minister of Gender, Family and Children, with the Government of Netherlands as Secretariat, has incorporated all elements of the the four strategic components of the Comprehensive Strategy, including in relation to SSR.

## **Scope of application**

This proposed Plan of Action on SSR and Sexual Violence outlines steps and activities to be included in the national reform process for the DRC security forces and agents. In essence, the aim is to train them and strengthen their capacity to prevent and respond to crimes of sexual violence. The main threads of the plan are as follows:

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<sup>2</sup> Office of the UN High Commissioner for Human Rights

- Impunity: a priority is to ensure that crimes of sexual violence are prosecuted. Some steps that can be taken towards this are the creation of specialized judicial and police units. A fast-track procedure needs to be established to prosecute and judge crimes of sexual violence in both civilian and military jurisdictions. Particular emphasis is placed on the creation of specialized sexual violence units within the PNC, focusing on UNSSSS axes in the East.
- A small specialized unit should also be created within UNPOL, engaging expertise from policy contributing countries to develop improved training modules on sexual violence and provide strategic guidance within UNPOL and assist with the creation of the specialized sexual violence units within the PNC.
- Training programmes for state security agents need to be harmonized and strengthened as a step towards effective reform. Furthermore, a Code of Conduct for FARDC and PNC should be negotiated with respective ministries (Defense and Interior) to outline clearly the responsibilities and obligations of state security agents to protect Congolese citizens.
- The establishment of special sexual violence cells within the FARDC to ensure and pursue internal accountability for sexual violence crimes is proposed.
- A vetting mechanism is proposed to ensure that police, military, and judicial personnel who have allegations against them on sexual violence and other serious crimes cannot be recruited into the security forces. Priority should be given to seniority in rank and responsibility and to individuals publicly known to have committed gross violations of human rights. It will be important to single out those whose authority might influence the implementation of a personnel reform process. The exclusion from state institutions of people with a demonstrated lack of integrity will (re)-establish civic trust and (re)-legitimize public institutions. Furthermore, the vetting process may help to fill the impunity gap by providing a partial measure of non-criminal accountability, though it should not replace pursuing criminal prosecutions.
- To implement the vetting mechanism, an independent and impartial commission comprising of specialized units with expert personnel should be put in place to deal with sexual violence related crimes. The options are to establish either a mixed domestic and international commission or a domestic commission (supported by an international secretariat).

## **Interconnectedness with other components of the Comprehensive SV Strategy**

Each one of the proposed objectives and steps under this strategic component intersect with other strategic components of the Comprehensive Strategy, in particular that of Combating Impunity for Cases of Sexual Violence and Prevention and Protection of Sexual Violence. The intricacy of this can be illustrated as follows:

- The sexual violence strategy needs to be linked to the demilitarization / disarmament and the army reform processes. This will allow for more balanced gender access to both programs, and ensure appropriate support for survivors of sexual violence, in line with the assistance referral system envisaged under the Multi-sectoral Assistance component. In the same vein, it will be important to link demilitarization / *brassage* programs to the reparation of victims, as envisaged under the Impunity component. This would ensure that benefits provided to those (ex-) combatants known as responsible for human rights violations, including sexual violence, are equally granted to the respective victims.
- The demilitarization / disarmament process needs to be linked into the proposed vetting mechanism and consequently the reparation of victims. Demilitarization processes provide a platform for tracing victims and perpetrators' registered throughout the process. The prosecution of those (ex-) combatants allegedly responsible for human rights violations, including crimes of sexual violence, and their exclusion from the new army represents an important step towards combating impunity, provide reparation for victims and to contribute to a reliable national army.

## Reference Tools

This Plan of Action for the Security Sector Reform component relies on the following:

1. Carson, Marc, SSR Adviser to MONUC SRSG End-of-Assignment Report, October 2008
2. Dahrendorf, Nicola, Chapter 3, MONUC and the Relevance of Coherent mandates: The Case of the DRC, in Heiner Hanggi, Security Sector Reform and Integrated Missions – Experience from Burundi, The Democratic republic of Congo, Haiti and Kosovo, Chapter 3, Geneva Centre for the Democratic Control of Armed Forces (DCAF), 2008
3. Decisions of the Secretary General –Policy Committee Meeting, 16 February 2007
4. MONUC Strategy to Support the Government of the DRC in Security Sector Reform from 2007 to 2010, April 2007
5. Office of the High Commissioner for Human Rights, Rule-of-Law Tools for Post Conflict States-Vetting: An Operational Framework, United Nations, New York, 2006
6. Plan Mixte FARDC/PNC pour La Lutte Contre les Violences Sexuelles et l'Impunité pour 2007-2008, UNFPA, 2005
7. SC Presidential statement recognizing the need to consider national SSR priorities within UN operational mandates (S/PRST/2007/3), 21 February 2007
8. SG Report on Security, Peace and Development: the role of the United Nations in supporting Security Sector Reform, January 2008
9. Verwijk, Margret, Developing the Security Sector: *Security for Whom, by Whom?* – Security Sector Reform and Gender, Ministry of Foreign Affairs, Policy division DSI/ER, The Hague, December 2007

## Plan of Action

### Security Sector Reform (SSR) and Sexual Violence

**A Accountability: Security agents and forces need to both prevent and respond effectively to sexual violence and ensure that any perpetrators of sexual violence crimes are held accountable.**

Objectives	Steps	Activities	Indicators	Outcome	Actors	Time Frame	Monitoring & Evaluation
<p><b>A: <u>Accountability</u>: Security agents and forces need to both prevent and respond effectively to sexual violence and ensure that any perpetrators of sexual violence crimes are held accountable</b></p>	<p><b>A. 1:</b> Create a specialized judicial expertise for sexual violence and implement “fast-track” procedures to investigate, prosecute, and judge sexual violence cases (as provided by Law 06/019)</p>	<p><b>A.1.1:</b> Develop together with the Ministries of Justice, Defense and Interior and relevant judicial authorities, standardized Terms of Reference on a national level for the specialization of investigation organs (OPJs/IPJs ) and prosecution (<i>parquets/ auditorats militaires</i>) and courts and tribunals):</p> <ul style="list-style-type: none"> <li>• Establishment of three independent relay within the penal chain</li> <li>• Specialized units within the judicial police</li> <li>• The instructor judge referring to the parquet, a specialized judge.</li> </ul>	<p>Specialized judicial expertise for sexual violence is in place</p>	<p>Better services for victims of SV in criminal proceedings</p>	<p>UNFPA, MONUC/OHCHR, UNICEF, UNDP, Ministries of Interior, Defense and Justice, &amp; <i>Magistrature Supérieure</i></p> <p><i>REJUSCO</i>/ NGOs</p> <p>Main coordination: MONUC/OHCHR</p>	<p>6 months</p>	<p>Evaluation of functioning of specialized judicial body, identify the gaps</p>
		<p><b>A.1.2:</b> Delineation of roles during the procedures and of coordination mechanisms</p>					
		<p><b>A.1.3:</b> Develop a Code of Conduct with minimum standards (<i>Code de Deontologie de la Police/Statut Militaire</i>).</p>					
		<p><b>A.1.4:</b> Examine possibility for suspending police/military officers if necessary for protection and prevention</p>					
		<p><b>A.1.5:</b> Develop a centralized registration system for sexual violence cases in criminal proceedings, courts, including military justice.</p>					
		<p><b>A.1.6:</b> Recruit and train female judicial personnel (registrars, magistrates, defenders etc)</p>					
<p style="text-align: center;">Cross reference to strategic component: <a href="#">Combating Impunity for Cases of Sexual Violence</a></p>							

Objectives	Steps	Activities	Indicators	Outcome	Actors	Time Frame	Monitoring & Evaluation
<b>A: Accountability: Security agents and forces need to both prevent and respond effectively to sexual violence and ensure that any perpetrators of sexual violence crimes are held accountable</b>	<b>A.2:</b> Separation of accountability between PNC and military forces	<b>A.2.1:</b> Advocate for Police to be accountable under civilian justice and NOT to remain under military justice procedures		PNC and military forces separated	GoDRC: Ministries of Justice, Defence and <i>Conseil Superieure</i>	6 months	
<b>A: Accountability: Security agents and forces need to both prevent and respond effectively to sexual violence and ensure that any perpetrators of sexual violence crimes are held accountable</b>	<b>A.3:</b> Establishment of UNPOL special sexual violence units to assist in the creation/capacity building of PNC special SV units	<b>A.3.1:</b> Obtain mission authorization for UNPOL to recruit small specialized units with expertise in investigation techniques and training for crimes of sexual violence <b>A.3.2:</b> Determine TORs for the UNPOL special SV Unit <b>A.3.3:</b> Deployment of UNPOL SV units	Agreement and authorization received  Number of personnel deployed	Specialized expertise available to reinforce PNC capacity on SV  Improved recruitment and evaluation mechanisms for SV personnel  Increased presence and engagement of UNPOL	UNPOL, DPKO New York	2 months	
<b>A: Accountability: Security agents and forces need to both prevent and respond effectively to sexual violence and ensure that any perpetrators of sexual violence crimes are held accountable</b>	<b>A.4:</b> Creating Specialized Police Units (PNC) for Sexual Violence	<b>A.4.1:</b> Coordinate and harmonize different initiatives such as UNSSS, the <i>Plan Mixte FARDC/PNC</i> and the working plan of the police reform (SE CSRP) into a common approach <b>A.4.2:</b> Conduct an evaluation study on existing human resources and infrastructure in the police (linking with the Justice Reform Agenda) Encourage the representation of police women <b>A.4.3:</b> Adopt standardized training materials for Police Judiciaries' OPJs and Inspectors IPJs, specially oriented for sexual violence crimes <b>A.4.4:</b> Liaise and coordinate with other specialized police units such as child protection and (eventually) Victim and Witness Units	Existing initiatives adapted  Evaluate and implement the results  Training material adopted  Xxx Number of cases referred	Better services provided to victims in initial criminal proceedings  Capacities of specialized judicial police officers and judicial inspectors reinforced  No duplication of initiatives	UNPOL, EUPOL, PNC MONUC/OHCHR  Coordinating entity: CSRP	6 months	



Objectives	Steps	Activities	Indicators	Outcome	Actors	Time Frame	Monitoring & Evaluation	
		<b>A.4.5:</b> Conduct advocacy and outreach regarding SV units		Potential perpetrators discouraged. Informed reporting encouraged.				
Cross reference to strategic components of (1) Combating Impunity, (2) Protection and Prevention of Sexual Violence								
<b>A: Accountability: Security agents and forces need to both prevent and respond effectively to sexual violence and ensure that any perpetrators of sexual violence crimes are held accountable</b>	<b>A.5:</b> Establishment of special SV cells within the FARDC	<b>A.5.1:</b> Establish ToRs at the national level for special sexual violence cells within the FARDC, responsible for ensuring: <ul style="list-style-type: none"> <li>Follow-up on FARDC internal accountability of SV crimes (in line with step A.1.1 – creation of a specialized body for sexual violence);</li> <li>Respect for Code of Conduct on SV for the armed forces.</li> <li>Adopt standardized training materials for military Judiciaries Inspectors IPJs (in line with the training materials adopted for the OPJs), as well as, general training and sensitization materials for all military personnel</li> </ul>	Develop precise and accurate indicators with partners (UNPOL, PNC, Ministries, CSM)	Impunity reduced for SV crimes committed by security forces elements	Ministries of Defense, Justice, Gender <i>Conseil Supérieur de la Magistrature</i>	12 months		
			Documentation of training materials					Additional representation of women within the FARDC of sufficiently senior rank
		<b>A.5.2:</b> Recruit and train more women as military personnel, including for military justice	Xxx Number of women recruited as military personnel					
		<b>A.5.3:</b> Ensure links with administration of civil justice, especially with SV judicial body.						
		<b>A.5.4:</b> decentralize these cells by nominating SV focal points in different FARDC brigades	Focal points identified					
Cross reference to strategic component (1) Combating Impunity and step 1 of this component								

Objectives	Steps	Activities	Indicators	Outcome	Actors	Time Frame	Monitoring & Evaluation
<b>A: Accountability: Security agents and forces need to both prevent and respond effectively to sexual violence and ensure that any perpetrators of sexual violence crimes are held accountable</b>	<b>A.6:</b> Issue Directives and Codes of Conduct on SV	<b>A.6.1:</b> Develop Codes of Conduct for FARDC and PNC, in collaboration with respective Ministries, in the following manner: <ul style="list-style-type: none"> <li>Combine respective decrees of the Defence and Interior Ministers' (<i>Ordnance</i>) introducing a specific <b>Code of Conduct</b> on SV, e.g. ensure protection of women and girls, refer all alleged perpetrators under their command to justice, take pro-active measures to patrol, encourage and promote best practices for the protection of women and girls.</li> <li>Introduce a specific Code of Conduct on SV to include:               <ul style="list-style-type: none"> <li>Instructions on ensuring the protection of women and girls;</li> <li>Refer all alleged perpetrators under their command to justice;</li> <li>Take pro-active measures to patrol, encourage and promote best practices for the protection of women and girls.</li> </ul> </li> </ul>	Directives and code of conduct issued	Clear orders given to Congolese army and police	MONUC Force Commander, and Police Commissioner, Ministries of Defense and Interior, ODSRSG EUSEC, EUPOL	6 months	Review the effective application and of such directives and codes of conduct
		<b>A.6.2:</b> Conduct training of security agents/forces (PNC+FARDC). Develop standardized modules that includes national and international legal framework on SV, Code of Conduct, multi-sectoral assistance.	Standardized Training modules on SV developed  Training programs in place	PNC/FARDC agents trained on SV	UNPOL, EUSEC, UN Military, FARDC, MONUC/OHCHR, MONUC Rule of Law, CSRP	6 months	Review effectiveness of training
	<a href="#">Cross reference to strategic component (2) Protection and Prevention of Sexual Violence</a>						

**B Vetting: Reform processes under way for security agents and forces need to incorporate mechanisms aimed at excluding individuals who lack integrity, in line with international human rights standards and best practices**

Objectives	Steps	Activities	Indicators	Outcome	Actors	Time Frame	Monitoring & Evaluation
<p><b>B: Vetting: Reform processes under way for security agents and forces need to incorporate mechanisms aimed at excluding individuals who lack integrity, in line with international human rights standards and best practices</b></p>	<p><b>B.1:</b> Assessment of the situation (public needs, perception and capacities)</p>	<p><b>B.1.1:</b> Broad consultation with civil society on the identification of public needs. Particular attention should be paid to the needs of victims, women, minorities and vulnerable groups.</p>	<p>Report of analysis and documentation of findings</p>	<p>Persons lacking integrity excluded from state institutions.</p> <p>Civic trust (re)-established and public institutions (re)-legitimized.</p> <p>Criminal accountability for past abuses</p> <p>Abuses prevented</p>	<p>MONUC/OHCHR, MONUC FC, UNPOL</p> <p><i>Etat Major des Forces Armees, PNC</i></p> <p>Coordinating Entity : MONUC/OHCHR / UNDP</p>	<p>12 months</p>	
		<p><b>B.1.2:</b> Evaluate state institutions' capacities and resources to establish and implement personnel reform</p>					
		<p><b>B.1.3:</b> Assess integrity of individuals through a proactive process of collecting background information from a variety of sources (Human resources databases, judicial authorities registries; civil society records/claims/cases – available databanks)</p>					
		<p><b>B.1.4:</b> Potential risks of removal should be assessed (provision of severance pay and other temporary assistance might be required in certain cases; care should also be taken to consider the rights of victims and assistance to removed officials has to be balanced with the needs of victims</p>					
		<p><b>B.1.4:</b> Assess pool of potential replacements. Minimize the risks of governance gaps. Build capacity quickly;</p>					
		<p><b>B.1.5:</b> Assess potential resistance to the personnel reform process and risks</p>					
<p><b>B: Vetting: Reform processes under way for security agents and forces need to incorporate mechanisms aimed</b></p>	<p><b>B.2:</b> Define parameters, standards and outcomes</p>	<p><b>B.2.1:</b> Define organizational parameters: institutional ToRs, Codes of Conducts; organizational structures</p>			<p>As above</p>	<p>12 months</p>	
		<p><b>B.2.2:</b> Define individual capacity standards: job descriptions, setting out personnel and professional qualifications;</p>					

Objectives	Steps	Activities	Indicators	Outcome	Actors	Time Frame	Monitoring & Evaluation
		<b>B.2.3:</b> Define standards of individual integrity: adherence to international standards of HR and professional conduct					
<b>B: Vetting: Reform processes under way for security agents and forces need to incorporate mechanisms aimed at excluding individuals who lack integrity, in line with international human rights standards and best practices</b>	<b>B.3: Design the process:</b> - Define a clear mandate  - Define the scope of Personnel Reform of security agents/forces and institutions  - Ensure that sexual violence crimes are included in the agenda	<b>B.3.1:</b> Establishment of an independent and impartial mechanism to administer and implement the Personnel Reform processes. Creation of specialized units with expert personnel to deal with SV related crimes.	Vetting Commission established	Process designed and in place.	As above plus: Parliament and Constitutional Court  Coordinating Entity: MONUC at political level, National Assembly	12 months	
		<b>B.3.2:</b> Develop TORs for an independent/impartial mechanism and ensure that they reflect: - appropriate measures for the efficient functioning of the Commission - transparency and impartiality of its members (ensure that measures such as verifying the background of members is taken to avoid “double agents” or ‘intrusionism’) - confidentiality of its work					
		<b>B.3.3:</b> Ensure that <i>personnel reform</i> regulations will be integrated into legislation. Need for clarity and precision to avoid ambiguity and political interference (to be approved by Legislative body, i.e. Parliament)					
		<b>B.3.4:</b> Ensure that the Personnel Reform process will prioritize the following: - Military, police and judicial institutions - Senior managers/officers whose authority might influence the implementation of the personnel reform process. - Individuals publicly known to have committed gross violations of human rights with particular attention to sexual violence crimes					
		<b>B.3.5:</b> Establish parameters for the implementation for each type of process: screen current employees, reappointment, and disciplinary proceedings.					

Objectives	Steps	Activities	Indicators	Outcome	Actors	Time Frame	Monitoring & Evaluation
		<p><b>B.3.6:</b> Integrate a public information and broad consultation mechanism within the reform process, to increase transparency and pre-empt attempts to cast doubt on the legitimacy/validity/impartiality/independence of the process.</p>					

**C DDR: The disarmament and disengagement processes need to include special procedures to assist survivors of sexual violence**

Objectives	Steps	Activities	Indicators	Outcome	Actors	Time Frame	Monitoring & Evaluation
<b>C: DDR: The disarmament and disengagement processes need to include special procedures to assist survivors of sexual violence</b>	<b>C.1:</b> Ensure that disarmament / disengagement programs focus on integrating a SV sensitive approach into all activities and infrastructure	<b>C.1.1:</b> Include and emphasize the disengagement of women and children as a priority during negotiations with leaders of armed groups.  Female Combatants should be integrated into lists of combatants provided by armed groups.  Differentiate between women/girls combatants and dependents);	Number of women and girls part of the lists of combatants presented for demilitarization	Women and girls separated by armed groups	UE PNDDR, SMI, DDR/DDRRR, UNICEF, EUSEC, UNDP	6 months	
		<b>C.1.2:</b> Integrate SGBV issues in sensitization campaigns addressed at ex-combatants undertaken at assembly Points, Regroupment Center and Brassage centers					
		<b>C.1.3:</b> Training programs to combatants integrating the army should include SV modules					

Objectives	Steps	Activities	Indicators	Outcome	Actors	Time Frame	Monitoring & Evaluation	
<b>C: DDR: The disarmament and disengagement processes need to include special procedures to assist survivors of sexual violence</b>	C.2: Ensure that demobilization programs appoint female focal points at each stage in the process, APs <sup>3</sup> , RCs <sup>4</sup> , (CBRs <sup>5</sup> ), in line with the UE PNDDR <sup>6</sup> principles	<b>C.2.1:</b> Define clear ToRs for focal points to do the following: : <ul style="list-style-type: none"> <li>- trace and identify female combatants among the troops being processed;</li> <li>- sensitize female combatants about the disengagement/ disarmament and registration processes;</li> <li>- Identify, register and orient female (ex)-combatants admitted into: Integration into the;</li> <li>- DDR processes;</li> </ul> Community development programs (socioeconomic reintegration);	Number of female FPs appointed		UE PN-DDR and SMI <sup>7</sup> UNSSSS, EUSEC, UNDP  Main coordinating entity: UNICEF	3 months		
		<b>Cross reference to strategic component (4) Multi-Sectoral Assistance</b>						
		<b>C.2.2:</b> Create appropriate infrastructure for intake and <i>regroupement centers</i> to maintain separate and private areas for female ex combatants						

<sup>3</sup> Assembly Points

<sup>4</sup> Regroupement Centers

<sup>5</sup> Brassage Centers

<sup>6</sup> UN-PNDDR (Unité d'Execution du Programme National de Desarmement, Demilitarisation et Reinsertion)

<sup>7</sup> SMI (Structure Militaire Intégrée)

Objectives	Steps	Activities	Indicators	Outcome	Actors	Time Frame	Monitoring & Evaluation
<p><b>C: DDR: The disarmament and disengagement processes need to include special procedures to assist survivors of sexual violence</b></p>	<p><b>C.3:</b> Ensure that programs for reintegration into the new army/brassa link in with the strategic component on combating impunity by prosecuting perpetrators identified through the DDR process</p>	<p><b>C.3.1:</b> Ensure that the disengagement process does not imply immunity from prosecution for crimes committed (moreover when they could constitute international crimes as war crimes); (refer to the SV strategy component Combating Impunity for SV Crimes)</p>	<p>Number of documented cases</p>	<p>Prosecution of perpetrators identified through DDR</p>	<p>SMI, MONUC/OHCHR, UNICEF, INGOs, local NGOs</p> <p>Coordinating entity: UE PNDDR, MONUC/OHCHR</p>	<p>12 months</p>	
		<p><b>C.3.2:</b> Trace those (ex)-combatants allegedly responsible for sexual violence violations, with an emphasis on victims within their own troops (e.g. women and children taken by force into the troops or voluntarily joining):</p> <ul style="list-style-type: none"> <li>• Cross check people listed (list of names) during the demilitarization process with the Human Rights and child protection data base and the monitoring &amp; reporting mechanisms within SCR 1612;</li> <li>• Cross check with information reported by NGOs and Civil Society</li> <li>• Cross check with information collected or registered by Military Prosecutor offices</li> </ul>					
		<p><b>C.3.3:</b> UNICEF and UE-PNDDR should ensure that their "Verification Teams" will properly document the use of children by armed groups and make that information available for the prosecution of perpetrators</p>					
		<p><b>C.3.4:</b> Identify and document cases of kidnapping, forced recruitment, forced marriage, slavery, rape of women and girls, and facilitate/promote prosecution of respective perpetrators</p>					



Objectives	Steps	Activities	Indicators	Outcome	Actors	Time Frame	Monitoring & Evaluation
		<b>C.3.5:</b> Ensure the link with the FARDC <i>committee de suivi</i> on human rights violation					
Cross reference to strategic component (1) <b>Combating Impunity</b>							
<b>C: DDR: The disarmament and disengagement processes need to include special procedures to assist survivors of sexual violence</b>	<b>C.4:</b> Ensure that programs for social reintegration and service provision provide special assistance to female (ex)-combatants	<p><b>C.4.1:</b> Ensure that female ex-combatants will be assisted during their stay in each of the transit points (AP/CR/CBR)</p> <p><b>C.4.2:</b> Special medical and psychological support should be available for survivors of SV identified among the combatants during the overall disengagement process</p> <p><b>C.4.3:</b> Ensure access to multi-sectoral assistance to SV survivors whenever appropriate (refer to the SV strategy: Multi-Sectoral Assistance Component)</p> <p><b>C.4.4:</b> Assistance should be extended to dependents of female combatants.</p> <p><b>C.4.5:</b> Give priority to female combatants in accessing reintegration programs (social reintegration and economic empowerment)</p>	<p>Number of female combatants assisted</p> <p>Documentation of reports provided</p>	Female combatants assisted with appropriate assistance	UNICEF, UEPNDDR, UNDP, World Bank, INGOs and national NGOs  Coordinating Entity: UNDP	6 months	
	<b>C.5:</b> Ensure that programs for reintegration (both social and <i>brassage</i> ) include justice and vetting mechanisms	<b>C.5.1:</b> Link the disengagement process with the overall Vetting strategy and ensure that vetting mechanisms will apply to former combatants allegedly responsible for SV crimes		Former combatants vetted	UEPNDDR, MONUC/OHCHR		
Cross reference to step B of (3) Security Sector reform							

Objectives	Steps	Activities	Indicators	Outcome	Actors	Time Frame	Monitoring & Evaluation
<p><b>C: <u>DDR</u>: The disarmament and disengagement processes need to include special procedures to assist survivors of sexual violence</b></p>	<p><b>C.6:</b> Ensure that programs for reintegration link into programs for the reparation of victims.</p>	<p><b>C.6.1:</b> Ensure that demilitarization / integration benefits provided to (ex) combatants with allegations of HR violations and war crimes are equally granted to the respective victims</p> <p><b>C.6.2:</b> Work closely within the military jurisdiction and the human rights organizations to set up special sexual violence hearings to get justice and reparation for victims.</p>	<p>Number of allegations pursued</p>	<p>Reparation provided</p>	<p>BNUDH, FARDC, CSM</p> <p>Coordinate: MONUC/OHCHR</p>		