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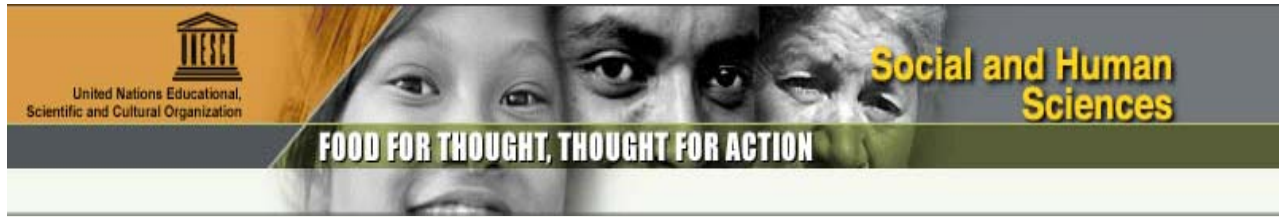
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**EMPOWERING WOMEN IN THE GREAT LAKES REGION:
VIOLENCE, PEACE AND WOMEN'S LEADERSHIP**

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Background Paper

**Empowering women in the Great Lakes
Region:**

Violence, Peace and Women's Leadership

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EXECUTIVE SUMMARY

The world's most pressing humanitarian crises are found today in Africa. Several of these crises can be found in the Great Lakes Region, where years of conflict have wrought untold suffering on the people, especially on women and girls. The minimal international response relative to the resource needs in this region remains a serious impediment to building peace. The peace agreements in Burundi and the Democratic Republic of Congo (DRC) and the promised upcoming elections in those countries potentially offer some opportunities for women to advance themselves politically as women did after the genocide in Rwanda and after the civil war in Uganda in 1986. However, as the Rwandan and Ugandan examples show, the potential for change may be constrained by the overall political climate and extent of democratization. Even with political will at the top and pressure from women's movements from below as in the Ugandan case, legislative changes advancing women's rights can be slow in coming as a result of competing societal pressures that are wedded to customary practices. Moreover, the impact of legislation is generally only a first step because entrenched practices do not disappear overnight.

The women in conflict-ridden parts of Burundi, DRC, Rwanda and northern Uganda have continued to endure unprecedented levels of sexual violence and assault, along with related HIV infection, pregnancy and other health complications that can result from rape and gang rape. Women refugees experience intense insecurity that comes from not having their support systems on hand along with other physical insecurities. Women suffer food insecurity that comes from not having an adequate means of livelihood and from a culturally prescribed prohibition on owning land, which is key to one's livelihood. Single, widowed and divorced women are especially vulnerable to problems associated with lack of access to land. Women and girls live in fear of being abducted and used as a sex slaves or as domestic servants. Women in this region have endured post-traumatic stress disorder and other psychological consequences of conflict.

Ironically, it is women's marginalization from power and distance from the perpetrators of violence that places them in a unique position to challenge the status quo, and to call for a new political order and for peace building. Women have been at the forefront of efforts to build peace as Betty Bigombe is doing in northern Uganda as the chief negotiator. Women have come to the peace negotiations united across party and ethnic differences as they did in Burundi and DRC. They have built unity across contentious differences at the local level through cooperation around everyday concerns of finding food, clean water and shelter as was evident in Burundi and Rwanda. They have created local and national organizations to highlight the importance of women in peace initiatives throughout the region.

Gender has been used as a basis for joint mobilization around the cause of women's advancement, political representation, and other common

concerns that arise from women's low status in society. This is not to say that women cannot be deeply divided. But it is also true that very often women's mutual interests have the potential to become a focus of mobilization that overrides ethnic, clan, religious, class and other potential differences that have become so politically inflamed in this region. It is time that women's common cause bridging such deep differences be seen by other peace brokers in the region as a critical resource in peace building.

BURUNDI

A. Background

From the time of independence from Belgium in 1962 up until the 1994 genocide in Rwanda, nowhere else in Africa had there been so much violence in such a small area in such a short period of time as in Burundi (Lemarchand, 1994). Thousands died in ethnically based conflict in 1965; between 100,000-200,000 perished in 1972; government troops killed approximately 20,000 in 1988; and another 3,000 were killed in 1991. In 1993, there was a brief respite from three decades of authoritarian and military rule as a democratically elected president, the first Hutu, Melchior Ndadaye came to power in a country that is predominantly Hutu but one that had been dominated politically and economically by a Tutsi minority since the time of colonialism. No sooner was Ndadaye elected than he was assassinated by Tutsi paratroopers. His successor Cyprien Ntaryamira, also a Hutu, was killed in a plane crash along with the president of Rwanda. With these deaths, the country became mired for five years in large-scale massacres and a civil war in which civilians became targets. At least 300,000 died in the battles and another million were forced into internal and external exile.

Peace talks were initiated in 1999 in Arusha, Tanzania, to lay the basis for a new constitutional arrangement. Peace accords were signed by 17 out of 19 existing Burundian parties in Pretoria, South Africa, on 28 August 2000. The accords established a transitional government and were an effort to bring an end to internal strife in Burundi through a carefully constructed power-sharing arrangement between Tutsi and Hutu leaders. By 16 November 2003 a comprehensive ceasefire agreement had been signed between the transitional government and the Forces pour la défense de la démocratie (CNDD-FDD) rebels headed by Jean-Pierre Nkurunziza. The agreement was aimed at restoring peace to 16 of Burundi's 17 provinces, however, a cease-fire was violated on numerous occasions threatening its viability. The only group that has not signed the accords, Forces nationales pour la liberation (FNL) of Agathon Rwasa, finally agreed to join the government in May 2005. The FNL's strength has been diminished by the new joint command of the Burundi army (FAB) and the FDD. In late 2003, the African Union peacekeeping mission in Burundi became a UN mission, the African Mission in Burundi (AMIB).

A new constitution was drafted and approved in a national referendum February 28, 2005 (La Republique Du Burundi 2004). The National Assembly is to be composed of 100 deputies, of which 60 percent

are Hutu and 40 percent Tutsi.¹ Parliamentary elections have been postponed until July 2005 and presidential elections until August of 2005. Success in rebuilding of the country on a new footing will depend in part on the willingness of the international donors to support this endeavor.

Over 158,000 Burundian refugees in Tanzania have been voluntarily repatriated by the United Nations Human Rights Commissioner for Refugees (UNHCR) since 2002 have returned to Burundi with UNHCR's assistance since the voluntary repatriation program from Tanzania began in March 2002. Another 85,000 were expected to be repatriated in 2005. There have been about 800,000 Burundian refugees in Tanzania. All camps with less than 10,000 refugees were to be closed. Funding is a major constraint on the operation, with international donors pledging to provide only 14 percent of the \$62.3 million needed for the repatriation program in 2005 alone (UN News Center 2005). Amnesty international (2005) has raised concerns that the governments of Burundi, Tanzania and UNHCR are forcibly repatriating the refugees, many of whom fear for their safety.

B. Women and Violence

Despite an improvement in the overall security situation since the 2003 ceasefire, women have experienced continuing and possibly increased insecurity as a result of the easy accessibility of illicit arms, according to interviews conducted by United Nations Development Programme's (UNDP) Small Arms Reduction Programme for the Great Lakes Region with hundreds of Burundian women at the end of 2004 in eight provinces. Small arms are being used in robbery, sexual violence and to harass and threaten widows, prostitutes, and other women perceived as vulnerable (Rackley 2004).

Women are still suffering the consequences of past and present violence between the government and various rebel troops in which rape became used as a weapon alongside the killing of civilians. The rebels have used rape as a strategy of terrorizing, degrading and humiliating people, according to a 2004 Amnesty International report. Some regard rape as a problem of epidemic proportions in Burundi (Human Rights Watch 2004a). Many women and girls have been raped in front of their families and children while the perpetrators act with impunity. Few women come forward to report these violent crimes because of the stigma associated with rape. As of 2003, there had been no court cases dealing with the abuse of women. Rape and sexual violence have also resulted in the higher prevalence of HIV/AIDS, yet few women seek medical assistance. In cases of domestic

¹ The Hutu account for roughly 85 percent of the Burundi's population of 7 million, while the Tutsi constitute 14 percent and the Twa 1 percent. The last census was conducted in the 1930s so these figures are approximations as they do not account for the massive killings of Hutu in 1965, 1972, 1988 and 1991 and the exodus of refugees into neighboring states (Lemarchand, 2004, 6). The Tutsi have dominated the country's leadership since it gained independence from Belgium in 1962.

violence, the police do not intervene and the media rarely reports such incidents. Wives rarely charge their husbands with assault and the government rarely investigates such cases, making prosecutions extremely rare.

There are some national networks to provide assistance to victims of sexual and domestic violence. The United Nations Operation in Burundi and various national and international non-government organizations, including women's associations, have conducted national education campaigns. Some have launched public sensitization campaigns to ensure proper medical, psychological and legal assistance.

Many of the problems women face are a consequence of the years of civil conflict in Burundi. As a result of the fighting, women have confronted new issues of displacement, the destruction of their families, and the loss of loved ones, in addition to new forms of physical and sexual violence. Many were widowed and forced to raise their children on their own under stressful conditions, having to not only provide food for their families but also protect them from violence. Some women and girls have been forced to barter sex and risk contracting the HIV virus in order to survive. Rebels sometimes kidnapped women to provide them with sexual and domestic services.

The civil war has destroyed at least one third of Burundi's infrastructure, which was not extensive to begin with. This affected health centers, schools, workplaces and the provision of basic services like access to safe drinking water and sewage disposal, which only half the population had available to them (UNICEF 2002).

Women refugees, both internally displaced as well as those in Tanzania, continue to face additional difficulties. Human Rights Watch found that some Burundian men sell their family's aid packages or give them to their girlfriends, leaving the family without food. The packages are generally distributed to male heads of household. Women can request separate packages, which in turn might incur abuse from their husbands. Women who question their husbands might be beaten or threatened. If their husbands are abusive, the women have to continue living with them in order to access the food packages. Levels of domestic violence in the camps have been high with little recourse. Women cannot seek help from their familiar extended family networks, neighbors and community leaders whom they would have relied on back home in Burundi. The Tanzanian police have done little to respond to such assaults. Women who married in the camps might later be surprised by the arrival of another wife and family of their husband and find themselves more vulnerable in a polygamous relationship (Human Rights Watch 2000). Women in refugee camps have been particularly vulnerable to rape.

C. Role of Culture and Social Institutions

In 1992 Burundi ratified the Convention on the Elimination of All Forms of Discrimination Against Women. In order to comply with CEDAW, Burundi introduced several pieces of legislation to protect women's rights. The Code of the Person and the Family (CPF) (Decree-Law No. 1/024) was revised in 1993 to remove assumptions that relations between spouses were based on notions of wife's obedience and introducing the notion of family relations being based on equality of rights and duties, human dignity and justice. The revised CPF abolished polygamy and the Islamic unilateral repudiation of marriage by the husband. It set the minimum age of marriage at 18 for women, 21 for men; allowed girls freedom to express their consent to marriage; custody of children granted automatically to the mother if the father is absent or incapacitated; right of joint management of family property; and the right to management of property was granted to a wife if the husband is absent. It introduced a legal divorce provision on the same grounds for men and women. With the amended CPF, a woman now has the right to freedom of movement and no longer needs her husband's authorization in order to travel (CEDAW 2000, 37). The laws that required a woman to obtain her husband's permission in order to open a bank account, engage in business, or take out of small loan have been repealed.

The Labor Code (Decree-Law No. 1/037) was revised to address women's rights during pregnancy and maternity leave as well as include breastfeeding provisions. Trafficking of women is to be punished, as is prostitution, the exploitation of prostitutes, and rape. Although there is no explicit prohibition of domestic violence, batterers can be tried under assault provisions of the law (CEDAW 2000). There are efforts to improve the maternity leave provisions and to ensure that all private sector employers pay full wages to women during maternity leave.

Other laws targeted for change include the Criminal Code, which needs to be brought in line with the new provisions of the CPF. The Nationality Code does not permit women married to foreigners to pass Burundian nationality onto their spouses or their children even though men married to foreigners can do so. Plans are being made to bring marriage arrangements, succession and inheritance that are still governed by customary law under statutory law.

Legal change, however, does not mean that practices change overnight. In reality, women are often treated like minors, under the protection of their fathers, brothers, uncles, husbands or a family council. Widows are often unable to inherit land and property, which is claimed by the husband's family upon the death of the husband. This makes widows particularly vulnerable as head of a household in trying to support children and themselves.

Women in Burundi face a number of stigmas and beliefs that constrain them and especially affect their health. Rape victims face particular problems given the stigma surrounding rape. They face rejection by their families, schools and other social institutions if they become pregnant as a result of the rape and may not pursue proper pre-natal care as a result of these social pressures. They are also unlikely to report the rape to authorities.

Women, who have a 6.8 percent HIV/AIDS rate of infection compared with 5.2 percent for men, may choose not be tested because of the stigma surrounding the disease. Women have high fertility rates of 6.8 children per woman. Contraceptive use is limited and diminished during the civil conflict. At least 16 percent of women use some form of birth control and 10 percent use modern methods (UNFPA 2004). Over 80 percent of births take place without a skilled assistant. Maternal mortality rates are high at 1,000 per 100,000 live births and these rates have been climbing. These are the result of not only beliefs but also lack of resources and access to adequate health care. Abortion is illegal and punishable by law except in the case where the mother's life is in danger. A study carried out in three Bujumbura hospitals found that about 6.5 percent of abortions are prosecuted. Illegal abortions with complications account for eight percent of all admissions to the maternity service (CEDAW 2000, 31). Pregnancy is the main reason for expulsion of girls from schools, accounting for half of all school expulsions.

D. Role of Women Decision-Makers

In precolonial Burundi, power was held by a small aristocratic dynasty, Baganwa, which had a king (*mwami*). Royal women served, according to Michelle Wagner (2003), as envoys, spies, powerbrokers, kingmakers, and dealmakers. The Tutsi king relied heavily on both female and male ritualists, healers and diviners, and prophetesses, many of whom were Hutu. The keepers of the most sacred symbol of power, the royal drum, were women. These female ritualists lost power with the German conquest in 1889 and Belgian takeover in 1918 after World War I. Conflicts emerged between the rich and poor cultivators and pastoralists, Hutu and Tutsis, Bezi and Batare, and between various princes (*ganwa*) who jockeyed for power under the colonial administration. In 1929 the Belgians brought previously independent chiefdoms together under various Bezi, Tutsi and Batare princes to consolidate power (Lemarchand 1994, 34-47). During the colonial period, the political authority of the princes replaced lineage-based authority and with this transition, the role of women (and Hutu) in positions of power were erased.

Women have come to be respected for their roles as wives and mothers and in particular by the number of children they have, especially boys. Even in festivals and ceremonies women express themselves by delegating representatives. Thus, their authority does not derive from their

public roles. Nevertheless, women have been making gains in the political arena, especially as a result of efforts by women's organizations to influence the peacemaking process. Women are forming parties and are running for office. Esther Kamatari, a supermodel who was exiled to France in 1970, announced in October 2004 that she planned to run for president in the next elections with the Party for the Restoration of Monarchy and Dialogue in Burundi (Abahuza) (Selva 2004a). A monarchist, Ms. Kamatari is the niece of the last king. In spite of their poor representation in government, women are as politically engaged as men when it comes to voting. In the 2004 referendum on the constitution, 51 percent of those who voted were women, while men represented 49 percent.

The main constraints on women's participation have to do with cultural perceptions of women's role in politics and household divisions of labor that put undue responsibilities on women, with women working up to 17 hours a day. The small number of educated women at the secondary and tertiary levels also poses a constraint on women's potential for political leadership. This is, however, rapidly changing with females making up 42 percent of secondary enrollments and one third of university enrollments, thus creating a larger pool of potential leaders.

Legislature: Women have made the most gains with respect to their representation in the legislature in Burundi. Women had the right to vote and stand for election in 1961, but it was not until 1982 that women ran for the first time for the legislature. By 1985 women had 9 percent of the seats in parliament, 12 percent in 1995 and currently there are 18 percent women in the National Assembly and 19 percent in the Senate. This number will increase dramatically with the upcoming elections scheduled to be held 31 October 2005 (originally they were to be held in November 2004 but were postponed because of delays in the disarmament process). The new constitution (Articles 129 and 164, 180) stipulates that women should hold 30 percent of all National Assembly, Senate and ministerial positions but other government institutions are excluded from this requirement, including local government. On the party list, a proportional representation system has also been instituted whereby for every three candidates of one ethnicity, two must be of a second ethnicity and at least one quarter must be woman (Article 168). Women are underrepresented in political parties, which accounts for their low representation in political decision-making positions.

Women leaders are concerned that the system of blocked lists will prevent them from reaching the 30 per cent provision in the Arusha (peace) agreement. Women's organizations convened in December 2004 to pressure parties to ensure that women appear in first or second position on party lists and that in Senate races, one out of the two provincial candidates should be a woman. They called for separate polls for women in the elections. They also demanded that women be given 50 percent seats in local government (in hills, councilors and communal administrators levels),

and equal representation as provincial governors, ambassadors and embassy counselors (Burundi News Agency 2004).

Government: In terms of government positions, Burundi is the second post-colonial African state to have a female head of state, when Sylvie Kinigi briefly held the post of prime minister exercising presidential powers from 1993 to 1994 after the death of President Melchior Ndadaye. The number of women ministers has varied between two and three out of a total of 27 ministers and they have had 11.5 percent permanent secretaries. There are no women provincial governors. The Ministry of Social and Women's Affairs is allocated only 0.25 percent of the national budget (PANA 2002).

Table 1: Women in Burundi's legislature since independence.

Year of Election	National Assembly/ Assemblée nationale			Senate/ Sénat		
	Seats	Women	%	Seats	Women	%
1961	64	0	0			
1965 ²	33	0	0	16	0	0
1982 ³	65	6	9.2			
1993	81	10	12.3			
	Transitional National Assembly / Assemblée nationale de transition			Transitional Senate/ Sénat de transition		
2002	179	33	18.4	53	10	18.8

Sources: Inter-Parliamentary Union 1995, 83; Inter-Parliamentary Union <http://www.ipu.org/wmn-e/classif-arc.htm>.

Judiciary: There are two legal systems that operate side by side in Rwanda. One involves the Bashingantahe (wise men) that is an all male body at the local level. At the national level there are 8 women and 32 men. Some local councils have followed suit in electing women, but that is rare. Historically, there was a parallel group of wise women *Inararibonye* ("those who have seen many things") who adjudicated in conflict situations involving women.

In the formal courts women made up one quarter of the Higher Council of Magistrates, 43 percent of the Constitutional Court, 18 percent of the Supreme Court, 27 percent of the Courts of Appeal and Administrative Court, and 17 percent of the Local Courts. In all they constitute about 17 percent of all members of the judiciary.⁴

² Parliament was dissolved after 1966 military coup.

³ The Assembly was dissolved after 1987 military coup.

⁴ This is based on 1998 data, which is the latest data available.

Political Parties: From the time of independence until recently there were no parties led by women in Burundi. In 2004 a woman trade unionist, Patricia Ndayizeye, registered her Party for the Development and Solidarity of the Working Class (PML- Abanyamwete). Her platform includes a number of social justice issues, of which many have to do with women, including the promotion of female leadership, education for girls and women, and the fight against sexual violence and all forms of oppression and exclusion (BBC 12 October 2004). There are 27 registered parties in Burundi today.

E. Representation in Peace Process

The most dramatic changes in women's political participation took place in the context of the peace talks in 1998. Burundian women's peace efforts go back to 1993 when the organization Women for Peace was formed with the support of African Women in Crisis (AFWIC) and UNIFEM. The following year, the Collectif des Associations et ONGs Féminines du Burundi (CAFOB) was formed as an umbrella for seven organizations and quickly grew to 15 organizations by 1996. The organizations focused on training women in leadership skills, on peace building and on getting women into positions of decision making (UNIFEM 2001, 11). Peace talks aimed at bringing an end to civil conflict in Burundi were held in Arusha in June 1998 and women's organizations were determined to be included. The parties involved had not even consulted their own party women with respect to these negotiations (Nduwayo 1999). At these talks 17 political parties committed themselves to finding a solution to a conflict that had incurred untold suffering on the Burundian people, displacing over 800,000 refugees to Tanzania, DRC, and Rwanda and another 800,000 internally. The majority of the refugees were women and children.

The women lobbied Tanzania's former president Julius Nyerere, who started as facilitator of the talks. After his death in 1999, former president of South Africa, Nelson Mandela continued. Nyerere arranged for a women's group of three Hutu and three Tutsi women and one woman in exile in Kenya to meet with the head of delegations of parties. The head of the women's delegation was Catherine Mabobori, president of CAFOB and founding member of Women for Peace. Ms. Mabobori and the group argued that women in Burundi, who made up 52 percent of the population, had been at the forefront of efforts to find peace through local level associations but had continued to remain marginalized at the national level. Their involvement in the talks could only broaden the channels for spreading efforts toward peace and reconciliation (UNIFEM 2001, 8). As a result of this meeting, seven were allowed to come as a non-accredited delegation to the 20-29 July 1998 meeting in Arusha but were told that they could not attend the following session.

One of the participants in the Arusha conference, Alice Ntwarante was struck by how unity was the starting point for the women delegates in

contrast with the men at this meeting: “We [the women] were united in purpose, despite our ethnic split –three Hutus and three Tutsis. The various political parties to which we women belonged tried to split us up, but we resisted them. We said, no! We stand together with our sisters. We are here to represent women, not as members of such-and-such a political party. Our unity spoke for us. We said to all Burundian women: ‘Come and join us! There is a place for you!’ This was the big success of Arusha for women — that we remained united.” She contrasted the stance of the women with that of the male party negotiators: “I told myself, here are the men, the key players, who are going to negotiate, but right at the start of the conference they can’t communicate with one another. Each was turning his back on his adversary. Each had brought his ideas to the peace table. They were partisan, even extremist” (UNIFEM 2001, 14). Imelda Nzirorera made a similar observation from her experience in the Burundian peace negotiations: “What worries us most is that our Burundian brothers, who are members of political parties, are putting the division of the national pie first. In other words, they are thinking, at the end of the negotiations, what position and post will we get?” (Anderlini 2000, 33). This is not to say that the women did not have differing views or disagreements, but they started from the point of unity.

The focus of the women’s efforts was to protest the sanctions that had been placed on Burundi by Kenya, Rwanda, Tanzania and Uganda and in January 1999 it is believed that their efforts had an impact on the lifting of the sanctions by neighboring countries. When their efforts to continue to join the peace talks were rebuffed at the July 1998 meeting, the women continued to press their case not only at Arusha, but with international donors, international communities, the facilitation team, regional leaders and African women’s organizations (Anderlini 2000, 10).

By February 2000, with the help of United Nations Development Fund for Women (UNIFEM), the Mwalimu Nyerere Foundation and others, the women had gained permanent observer status at the talks. In July 2000, they succeeded in getting the 19 negotiating parties to accept the need for women's involvement in the peace process. An All-Party Burundi Women's Conference was convened in 2000, where delegates insisted that women's concerns be taken up in all aspects of the peace process, given the particular effects of the conflict on women. Each party sent two delegates to the conference. The document they drew up, Women’s Proposals to Engender the Draft Arusha Peace and Reconciliation Agreement, is an important one because it provided a road map for how women’s concerns needed to be addressed in the peace building process.

They insisted that women be represented in all aspects of the peace process and that all issues raised needed to be looked at from a gender perspective. They also demanded a 30 per cent quota for women in the legislature, the judiciary and the executive branches of government, as well as in all bodies created by the peace accord. They argued that rights to

property, land and inheritance be included in the final agreement along with a recognition of the fact that Burundi girls and women suffer discrimination because of culture and policies that are not sensitive to women's particular needs. The declaration highlights the need for equal access to education for girls and for an end to impunity when it comes to rape, sexual violence, prostitution and domestic violence. It talks about the importance of paying attention to the needs of women refugees and in particular female-and child headed families and many other crucial concerns (All-Party Burundi Women's Peace Conference 2000). Twenty-three of these recommendations were ultimately included in the final peace accord as a result of their lobbying efforts.

One important consequence of these efforts to get women included into the peace process has been the energizing of women's peace organizations which include a wide range of organizations. For example, the Burundi Women Refugee Network and AFRICARE Burundi have been involved with internally displaced women and refugees in promoting peace related activities. When men negotiators at Arusha said there were insufficient women to hold office, CAFOB compiled a list of women with the education and skills necessary to serve in the government. Since its formation in 1997, the Burundi Women's Journalists Association (BWJA) has been promoting women's rights and the freedom of the press. Dushirehamwe ("Let's Reconcile,") serves as a network of women's peace-building organizations from ten provinces in Burundi and has been initiating inter-ethnic dialogues and engaging in conflict resolution. Traditional birth attendants are being trained to help women survivors of rape. Many other organizations provide other important services and play advocacy roles in the current context in Burundi and are an important resource for changing the status of women in this country.

RWANDA

A. Background to the conflict

The situation of women in Rwanda has been very much defined by the events of 1994, in which 937,000 (10 percent of the population) were killed in a 100-day genocide that was aimed at eliminating the Tutsis and moderate Hutu in a country where 15 percent of the population is Tutsi, 1 percent Twa, and the remainder Hutu (IRIN 2004). The genocide affected virtually every family in one way or another. Women make up a very small percentage of those jailed for taking part in the 1994 genocide. One study put the ratio of women involved at just 2.3 percent. The genocide left up to half of all households headed by women in a society where men were generally the ones who took care of all interactions outside the home, e.g., dealing with government bureaucracies, banks, post offices. The realities of life after 1994 forced women into many new roles they were not accustomed to playing. After the genocide, orphaned children headed over 45,000 households and of these, 90 per cent were headed by girls.

Some have argued that women have played a greater role politically because after the genocide there was a very large number of them, however the 2002 census showed that women made up 52.3 percent of the population (BBC 30 March 2005).

B. Women and Violence

The United Nations Office of the High Commission on Human Rights estimates that 250,000 Rwandan women and girls were raped. Of these a large number were infected with HIV/AIDS and many became pregnant. An estimated third of the women were gang-raped. Only about 100 of these cases have been before a court (Danks 2004). In 1998, the International Criminal Tribunal for Rwanda (ICTR) issued a historic judgment in the case of Jean-Paul Akayesu. Akayesu was the former mayor of Taba commune, accused of allowing police and others to rape and torture mostly Tutsi women who had sought his protection. With a guilty verdict, this became the first time anyone had been found liable by an international tribunal for genocide crimes for crimes of sexual violence. Thus, the case set a precedent for future trials and had important international implications.

The Ministry of Health in cooperation with the Ministry of Gender, Women and Social Affairs established a National Trauma Centre to provide mental and social rehabilitation to survivors of genocide. The Centre provides counseling and has sent outreach teams to all prefectures. In 2002 a Child and Family Protection Unit was established to deal with sexual and gender-based violence against men, women, and children. Efforts have

been taken to train gacaca judges in sexual and gender-based violence training nationwide.

The legacy of violence continued after the genocide as one fifth of Rwandan women confronted domestic violence, according to a government study (Nowrojee 1996).

C. Role of Culture and Social Institutions

Rwanda has begun to taken important measures with respect to legislation to address many of the beliefs and practices that constrain women. Rwanda is the only country in the Great Lakes Region to have signed and ratified the African Union's Protocol on the Rights of Women. While 31 countries have signed the Protocol, only five have ratified in all of Africa.

Several key pieces of legislation have been passed that impact on women's status. The Matrimonial Regimes, Liberties and Succession Law was passed in 2000 allowing women and girls to inherit land and own property. It also allows women to become family heads. The legislation marked an important milestone in Rwanda's history. Prior to this legislation women whose husbands, fathers and brothers and sons were killed or absent had few options in a country where women need a male relative to access land and land is crucial to feeding one's family and obtaining income (Warah 2000). Penalties have also been increased for those who rape children. A 2001 Law Relating to Rights and Protection of the Child against Violence (Child Protection Law) criminalizes child rape.

D. Role of Women Decision-Makers

Legislature: Rwanda has become the world leader in the legislative representation of women, in part due to the introduction of quotas. Much of the explanation for this recent surge in female representation in Rwanda can be accounted for by the political calculus of the ruling Front Patriotique Rwandais (RPF), which since it took over in 1994 has promoted women to key positions in the government. It is also explained by the actions taken by the Rwandan women's movement to promote women's leadership and by women themselves who have sought office. The number of female legislators jumped from 26 percent in 1994 to 49 percent after the 2003 elections. Rwanda adopted a new constitution in 2003 calling for a minimum of one-third of women in all decision-making positions and setting aside 24 (30 percent) of all seats for women in legislative elections in the lower house. (Women also have 30 percent of all seats in local government.)

In addition to these reserved seats, another 15 women were elected into non-reserved seats in the 2003 election, bringing the total number of

women elected to 39 out of 80 seats in the lower house. Women's Councils at the grassroots level elect women representatives to successive higher administrative levels from the cell level to the sector and district levels, skipping the provincial level, and then to the legislature through what becomes an electoral college.

After the genocide, the RPF leadership emphasized women's role in the reconciliation and reconstruction processes and encouraged women to enter public office. This won them considerable support among the female population. Women have made gains but it is not clear how much leverage they will have within the current system. The RPF ensured that in the 2003 elections no serious political opposition groups were allowed to participate freely or run for office. The RPF has effectively silenced any criticisms or challenges to its authority (Human Rights Watch 2003). It has closed down opposition political parties like the MDR and various human rights organizations like La Ligue Rwandaise pour la Promotion et la Défense des Droits de l'Homme (LIPRODHOR), which according to Longman is the only remaining independent human rights organization in Rwanda. International election observers found considerable intimidation and harassment during the 2003 parliamentary elections. Odette Nyiramirimo, an influential female senator and former cabinet minister, has pointed out that only a few pieces of legislation have originated in Parliament and little if anything that President Kagame suggests is rejected or even substantially altered before adoption.

Table 2: Women in Rwanda's legislature since independence.

	Seats	Women	%
1965	47	N/A	N/A
1969 ⁵	47	N/A	N/A
1981	64	4	6.3
1983	70	9	12.9
1988	70	12	17.1
1994	70	3	4.3
(1997) ⁶	70	12	17.1
(2000) ⁷	74	19	25.7
2003	80	39	48.8

Sources: Inter-Parliamentary Union 1995, 214; Inter-Parliamentary Union <http://www.ipu.org/wmn-e/classif-arc.htm>

⁵ Parliament dissolved after military coup in 1972.

⁶ No election

⁷ No election

Government: The 28-member Rwandan government has nine women (four ministers and five secretaries of State), a major increase since 1990 when there were none and 1995 when there were three. Women gained the right to vote and stand for elections in 1961, but could not run for president until 1978. It was not until 2003 when a woman contemplated running for president for the first time. Alivera Mukabaramba of the Party for Progress and Concord and a former member of parliament put her name forward as a presidential candidate in the 2003 elections for a brief time. She then became a senator (Worldwide Guide to Women in Leadership 2005).⁸

Judiciary: The prime minister pledged in 2004 to raise the numbers of women law enforcement officers from the current four percent rate to one third. Similar promises have been made with respect to the judiciary by the Ministry of Justice. Only two out of 12 provincial prosecutors are women; there are no female judicial personnel in the office of the attorney general; and there are very few women judges. In contrast, in the local gacaca courts, women make up 36 percent of the judges (Human Rights Watch 2004b).

E. Women and Peace Building

After the 1994 genocide, a proliferation of women's organizations aided reconstruction efforts both at the local and national levels. Gender relations were dramatically transformed after the genocide as women took up leading roles in the community, household, and as income providers. Women buried the dead, rebuilt shelters, located homes for nearly 500,000 orphans, and took over nontraditional business such as brickmaking, construction and mechanics (Powley 2003, 14-16.). Rwandan women's efforts to rebuild the country and overcome the ethnic divisions embedded in Rwanda's social fabric, forced them to think of themselves differently and develop skills they otherwise would not have acquired.

Women activists become involved in the peace process at the grassroots level and became an important force for conflict resolution through the various women's organizations, especially as they took on these very concrete tasks. Many organizations provide very tangible assistance to their members and communities like Reseau des Femmes, a network of women's development groups throughout Rwanda, or Duterembere, a women's credit association, and Haguruka, a women's legal aid society. Another association of genocide widows, AVEGA, provides psychological support to its members and runs a health clinic to assist HIV positive. The organization provides support to orphans of the genocide. Other groups work with the elderly and wounded. Some formed informal savings clubs and housing cooperatives. The Rwanda Women's Network, which was

⁸ Worldwide Guide to Women in Leadership http://www.guide2womenleaders.com/woman_party_leaders.htm Viewed 5.20.05

formed in 1997, created shelters for genocide victims and donated tents to refugees returning from the DRC.

One of the best known national level groups, the Pro-Femmes/Twese Hamwe (All of us Together), provided material assistance, counseling, vocational training and helped women start income generating initiatives. The Pro-Femmes/Twese Hamwe is an umbrella group comprised of members of all ethnic groups and encompassing 40 organizations throughout the country (Newbury and Baldwin 2001, 97, 101). Pro-Femmes Twese Hamwe has been mobilizing women through these concrete activities to spearhead the promotion of a culture of peace, tolerance and non-violence in grassroots activities.

Some formed advocacy organizations. The Forum for Rwandan Women Parliamentarians and the Rwandan Women's Initiative were instrumental in pressing for changes in the inheritance laws, a law that banned discrimination against women, and rape laws (Longman forthcoming). Already in the late 1980s women had been joining human rights organizations. After the genocide these interests increased. Monique Mujawamariya, for example, organized the Rwandan Association for Human Rights and Civil Liberties. Women also became leaders in several political parties.

Many of these aforementioned organizations became a training ground for women who ran for office. They also became a pressure group advocating for women's representation in political office and positions of power. Pro-Femmes, for example, carried out educational campaigns on women and parliament and women and the gacaca courts (Longman forthcoming).

DEMOCRATIC REPUBLIC OF THE CONGO

A. Background to the conflict

Eastern Congo has been embroiled in conflict since 1996, resulting in a staggering 3.8 million deaths and the displacement of hundreds of thousands of people in the region.⁹ In spite of peace efforts and the presence of United Nations troops, the situation remains volatile and the political transition in that country is fragile. The country has been bedeviled by a weak and divided government in Kinshasa, a divided army, and repeated incursions by Rwanda and Uganda, who have exacerbated local ethnic and other conflicts and exploited the country's resources.

In 1996, the Rwandan government, led by the Rwandan Patriotic Front (RPF), sent its Rwandan Patriotic Army (RPA) troops into the Congo, claiming that they needed to preempt attacks on Rwanda by Hutu combatants¹⁰ and remnants of the defeated Rwandese army, Forces Armées Rwandaises (FAR). They also went to support the Banyamulenge Congolese of the Tutsi ethnic group, whom they felt would face threats from the Hutu who had fled Rwanda. Over a million Hutu refugees poured into Congo from Rwanda following the 1994 genocide fearing RPA retribution against the Hutu, the majority of whom were not implicated in the genocide. Together with the Allied Democratic Forces for the Liberation of Congo (Alliance des Forces Démocratiques pour la Libération du Congo-Zaïre or AFDL), the RPF attacked the refugee camps of unarmed civilians and killed tens of thousands of Rwandan Hutus, forcing hundreds of thousands to return to Rwanda, some voluntarily, others by force. Two hundred thousand refugees fled into westward into the forests. There are no reliable figures, but it is thought that at least 300,000 Rwandese civilians were killed or died in their efforts to escape the RPA. Meanwhile, several thousand ex-FAR and Hutu militia regrouped and continued fighting the Rwandan government in the Congo and subsequently in Rwanda.

Ugandan and Rwandese troops together with the AFDL marched into the capital, Kinshasa, overthrowing President Mobutu. They brought into power AFDL leader Laurent Kabila, and an ascendance of Banyarwanda and Banyamulenge forces. Rwanda and Uganda overstayed their welcome and 14 months later Kabila sought to throw Rwanda and Uganda out of Congo. In August 1998 Rwanda threw its backing behind the Rally for Congolese Democracy-Goma (Rassemblement Congolais pour la Démocratie-Goma, or RCD-Goma), while Kabila enlisted the support of Zimbabwe, Chad, Angola and Namibia. The RCD-Goma, in spite of its lack of popular support, came

⁹ International Rescue Committee (2004) estimates that nearly four million Congolese have died since 1998.

¹⁰ Sometimes the Hutu fighters are referred to as "Interahamwe," a name that carries the erroneous connotation that they were all involved in the 1994 genocide in Rwanda. Some were involved, but the majority, were not.

to control one third of DRC, including most of North and South Kivu, parts of Maniema, Orientale, and Katanga and a part of Kasai Orientale provinces. Meanwhile Uganda backed the Mouvement pour la Libération du Congo (MLC) and the Rassemblement Congolais pour la Démocratie-Mouvement pour la Libération (RCD-ML), which served as its proxies (Tull 2003).

The RCD-Goma's presence in Kivu was resisted by the Mai Mai. The Mai-Mai constituted yet another heterogeneous and loosely coalesced armed militia in Eastern Congo, allied at various times with Hutu groups or with the Congolese government. The Mai Mai were local Congolese who claimed they were protecting their own communities and claimed an identity of resisting foreign occupation, especially the Tutsi Banyarawanda influence. Many, in fact, ended up killing, raping and looting local villagers.

A ceasefire between the warring parties (the DRC, Angola, Namibia, Zimbabwe, Rwanda, and Uganda and rebel groups) was signed in July 1999 in Lusaka. However, Ugandan and Rwandan troops did not begin to move out of Congo until after the assassination of Laurent Kabila and the installation of his son, Joseph Kabila as president in January 2001. The United Nations peacekeeping force, the United Nations Observation Mission in the Congo (MONUC) moved in to supervise the ceasefire and demobilize combatants. A month later, fighting broke out between Rwandan and Ugandan armed forces inside Congo, resulting in more than 200 deaths and damaging relations between these neighbors. The conflict eventually subsided in much of the eastern part of the Congo, except for North and South Kivu and Ituri. In April 2001, a UN panel of experts accused Rwanda, Uganda and Zimbabwe of systematically and illegally exploiting diamonds, cobalt, coltan, gold and other lucrative resources in the DRC. Many felt this had provided an added impetus for them to remain in the Congo.

In North Kivu, the Hutu forces are known as the Army for the Liberation of Rwanda (*Armée pour la Libération du Rwanda*, ALIR), while those in South Kivu are known as ALIR II. Other Hutu rebels are part of the Democratic Forces for the Liberation of Rwanda (*Forces Démocratiques pour la Libération du Rwanda*, FDLR), which is affiliated with the Congolese army (*Forces armées de la République Démocratique du Congo*, or FARDC). Another Burundian Hutu rebel group, Forces for the Defense of Democracy (*Forces pour la défense de la Démocratie* or FDD) is based in South Kivu and Katanga provinces.

An Inter-Congolese Dialogue between the various Congolese rebel forces and the government was initiated in October 2001 and resumed in Sun City, South Africa, between February and April of 2002. In December 2002 a Global and All Inclusive Peace Agreement was signed that led to the creation of a new army as a conglomeration of the various rebel movements.¹¹ The Rwandan RCD-Goma did not sign the agreement,

¹¹ The signatories to the 2002 agreement included the DRC government, The Congolese Rally for Democracy (RCD), the Movement for the Liberation of the Congo (MLC), the political opposition, civil society, the Congolese Rally for

resulting in an impasse between DRC and Rwanda, which had stationed thousands of troops in eastern Congo under the pretext that it was there to prevent the ex-FAR and other combatants from attacking Rwanda. At the final Inter-Congolese Dialogue in Sun City, South Africa, April 2, 2003, the RCD-Goma finally did sign a peace agreement, which provided for the establishment of a two-year transitional government and constitution that would allow the DRC its first democratic elections in 40 years.

With respect to foreign armies within DRC, a July 2002 Pretoria Agreement between the governments of Rwanda and DRC provided for the withdrawal of Rwandan troops and the dismantling of the Ex-FAR and Interahamwe Forces. Similarly, in September 2002, the governments of the DRC and Uganda signed the Luanda Agreement on the withdrawal of Ugandan troops from the DRC. Uganda pulled out most of its troops from DRC, although as of 2003 there were still 6,000 Ugandan troops in the Ituri region of northeastern Congo who were being implicated in mass killings in that region.

Various subsequent bilateral and regional security agreements have been undermined by weaknesses in the transition government, which as a result of the Pretoria 2002 agreement has an army divided along the lines of former rebel groups and a president with four vice-presidents representing the Government, RCD, MCL and the political opposition. Intent on using their positions to enrich themselves, some factions have been concerned that they will lose their standing after the elections and have therefore sought to delay the transition. The peace agreement is further weakened by the continued presence of Rwandan troops in the Congo and the continued presence of 8,000 to 10,000 armed FDLR troops.

The National Transitional Elections are scheduled for June 2005 but the electoral commission has called for postponement. Elections are threatened by the ongoing crisis that has resulted in over 1,000 daily deaths as a result of humanitarian crisis and ongoing conflict. The RCD-G initiated clashes in the Kivu provinces in February 2004. More recently, there have been clashes between the FDLR and Rwanda, which reportedly sent additional troops back into Congo in November 2004. Renewed fighting resulted in the displacement of over 100,000 –200,000 civilians since November 2004 in North and South Kivu, further undermining the transition process. Meanwhile, an alliance between 8,000 and 12,000 RDC-G troops are resisting President Kabila's forces around the city of Goma in North Kivu (International Crisis Group 2005a).

The situation is further complicated by fighting between the Hema and Lendu communities in the district of Ituri in Orientale Province. This district holds the largest gold reserves in the world. The groups have been embroiled in a conflict over access to land, minerals, and local power in

Democracy/Liberation Movement (RDC/ML), the Congolese Rally for Democracy/National (RCD/N), and the Mai-Mai,

which Uganda, Rwanda and Kinshasa are waging a proxy war, using local warlords. It is estimated that 60,000 have died in the fighting in this district since 1999 (Van Woudenberg 2005). In spite of a May 2004 agreement to disarm between the DRC government and representatives of armed militia groups in Ituri, from mid-December 2004 to March 2005, continuing conflict resulted in the internal displacement of some 100,000 Hema, according to MONUC and the UN Office for the Coordination of Humanitarian Affairs (OCHA) in Bunia (IRIN 2005a).

The DRC's own army (the FARDC) and MONUC are too weak to enforce the cease fire. MONUC was supposed to oversee the disarmament, demobilization, and repatriation (DDR) of up to 40,000 mainly Rwandan Hutu rebels in the DRC in eastern Congo. It is estimated that 12,000 out of an estimated 15,000 combatants have been demobilized with a remaining 3,000 holding out. They are said to belong to the Patriotic Congolese Union (UPC) and Nationalist and Integrationalist Force (FNI) (Joffe-Walt 2005). Whether or not MONUC has the authority to use force has also been a matter of dispute within the mission. MONUC has 11,500 soldiers, 150 civilian police and 700 international staff currently in the DRC. The Rwandan Hutu rebels have carried out extensive killings, rape, looting, sexual slavery, abductions and extortion (Human Rights Watch 2004c). At the same time, FARDC soldiers were also reported to have looted, beaten and raped residents in towns like Walungu in mid 2004. The FARDC soldiers were driven out of Bukavu, South Kivu, by a mutiny among other FARDC troops who had been part of RCD-Goma (Human Rights Watch 2005d). It is believed that Rwanda had a hand in this mutiny, leading international actors to step up their efforts to remove Rwandan rebels from Congo, which were creating the pretext for Rwandan government involvement in the Congo.

Meanwhile the humanitarian crisis in DRC fails to receive adequate international support. The UN was able to raise only 22 percent of the \$201 million it requested in humanitarian aid for Congo from the international community (Lederer 2005).

B. Women and Violence

The numbers of women and girls reported to have been victimized by this conflict surely surpass most other conflicts in the 20th century. The perpetrators belong to over 20 militia groups in eastern Congo as well as Rwandan, Ugandan and Burundian armies, the Government's armed forces, and United Nations peacekeepers. For all but the latter group, rapes and gang rapes have been carried out as a mechanism to terrorize the population and punish them for allying with the "enemy." The crimes have gone largely unpunished, creating a culture of impunity that has spread to police, criminals, bandits and many others who have abused women and girls through sexual violence. Those rare cases that have gone to court

generally have not ended in conviction and magistrates are easily bought off given the personal economic constraints they face as individuals. Sometimes families of a raped girl will arrange a settlement with the perpetrator or his family in which the girl is forced to marry her rapist (Human Rights Watch 2002, 80).

Over 40,000 women and girls are believed to have been raped by soldiers during the recent conflict in DRC, according to Amnesty International. Women and girls have been kidnapped for months at a time to serve as sex slaves, porters, cooks and cleaners. “There is a real madness with all this [sexual] violence linked to the war. This is a whole war within the war — another kind of attack on the Congolese people,” observed a counselor who works with women and girls subjected to sexual violence (Human Rights Watch 2002, 23).

At least four-fifths of rural families in the Kivus have had to leave their homes at one time or another. The DRC has perhaps the highest number of Internally Displaced People (IDP) in the world, with 3.5 million internal refugees as a result of the conflict since 1998 (Agence France Presse 2003). About 385,000 refugees are situated in neighboring countries. IDP women are especially vulnerable to attacks by soldiers. Their inability to carry out farming and sell their produce has resulted in increased levels of malnutrition. The combination of these factors has created situations where women and girls have found themselves with little recourse other than to trade “sex for food, shelter or money in order to provide for themselves and their families” (Human Rights Watch 2002, 21).

The DRC transition government has done virtually nothing to stop the massive numbers of rapes or to arrest the perpetrators. Moreover, it has not provided the violated women with medical care or counseling. The handful of women who have obtained treatment, have been helped by humanitarian organizations. A by-product of the rapes has been a large-scale increase in the rate of HIV/AIDS infection, with possibly 20 percent of the population in Eastern Congo infected. Gang-raped women and violently raped women may need treatment and surgery for fistula. Many women who have been raped are rejected by their husbands and communities and there is enormous stigma related to rape and sexual abuse (Selva 2004b). Unmarried women, especially those who give birth to a child, may have difficulty finding a husband, and have about a 20 percent chance of being married in the future (Human Rights Watch 2002, 66).

Since the ceasefire in 2003, in some areas, the insecurity for women and girls has increased as in Goma, North Kivu province, where women are sexually assaulted not only by soldiers and militia but also by neighbors, relatives and teachers. It is unclear whether there are more reports or whether there are more assaults or both. Reportedly up to 5,000 women and girls were raped in South Kivu between February and October 2003, which is an average of 40 rapes a day (Danks 2004). In North Katanga

hundreds of Mai Mai militia looted whole villages, raped women and forcibly conscripted men into their ranks as recently as February 2005.

In other rural areas like Maniema, the situation has improved. Rural areas, such as the forests of Maniema province, have become safer, according to an NGO, the Voice of the Oppressed Women of Maniema. The organization had registered one rape every three months whereas a year earlier there was one rape a day reported. This is still too many, the NGO's leader Zahera Zainabo says. "Women are still considered like a toy, like something of no value." Dehumanised by war, a soldier's moral reference points are skewed, says Zainabo (Carroll 2005, 10).

Perhaps most egregious have been the actions of UN peacekeepers in the DRC, who are alleged to have sexually exploited hundreds of women in DRC, some as young as 13. Hundreds of underage girls were having babies fathered by UN soldiers who returned to their home countries without providing support for the babies they had fathered. Over 150 allegations of such abuse were reported to the UN Office of Internal Oversight Services since 2004 and according to an ABC 20/20 television report, the rapes and abuses were ongoing (Kilgannon 2005). The account detailed an internet pedophile ring run by a senior UN official from France, and a South African colonel who had molested his teenage male translators.

Women's rights organizations, human rights groups and churches in eastern Congo have been especially active in advocating for the protection of women and girls in this context, providing health services, counseling and material support.

C. Role of Culture and Social Institutions

Women lobbied for and obtained a few provisions in the Draft Constitution of the Transition in DRC that represent an advance from previous legislation and constitutions. Although in reality women are far from realizing their constitutional rights, according to Article 51, the state has the responsibility to ensure the elimination of all forms of discrimination against women and to promote their rights. The state is also obligated to ensure the full participation of women in economic, social and cultural sectors. It is to take measures to fight all forms of violence against women in public and private life. Women have "the right to significant representation in national, provincial and local institutions."

There have been efforts to implement and improve a variety of laws, especially with respect to sexual violence. Currently the Penal Code prohibits rape and indecent assault, physical torture and kidnapping, however, massive rape and sexual violence has occurred in Congo with impunity (Mobateli 2005). Solange Kambidi, president of l'Union des Femmes, has indicated that they are working with the Ministry of Human

Rights and National Solidarity to change laws affecting women's ability to travel without the authorization of their husbands (IRIN 2005b). Women are legally considered second-class citizens. The Family Code defines the husband as head of the household and it is his duty to protect his wife, who is to be obedient to her husband (Economic and Social Council of the United Nations 2003, 43). She must obtain permission from her husband if she is to undertake activities outside of the household, including applying for a passport. Women do not have the legal capacity to choose their residence or to seek divorce. Women have rights to inheritance, but in practice women often find themselves thrown out of their home and deprived of their property by their deceased husband's family (Association pour la Promotion, Protection, et Défense des Droits de la Femme 2001).

A family council may overrule the husband, but in the absence of such a decision women are not free to take action. This leaves single women particularly vulnerable, especially in a country where it is estimated that between 60 and 80 percent of women are single heads of households. The law does not address female genital cutting, which is practiced in less than 5 percent of the country (Inter-parliamentary Union 2005). The law prohibits prostitution for children under the age of 14 and it does not prohibit forced or bonded child labor.

The bodies responsible for the rights of women and girls include the Ministry on the Advancement of Women, Ministry of Social Affairs and the Family, the General Secretary for the Family, the Ministry of Justice, and the Ministry of Human Rights. In addition, there are national and provincial councils on women and a "Commission de lutte contre les viols et violence au Sud Kivu," which works with NGOs in the region to address sexual violence against women. There have been efforts to document cases of torture, rape, murder, kidnappings, and the consequences of violence, e.g., HIV/AIDS. However, virtually nothing has been done to prosecute these crimes.

D. Leadership and Decision-Making

Women in DRC have been trying to increase their representation, which many believe is important in order to have their input in matters pertaining to peace.

Women are absent in almost all areas of leadership in the Congo.

Legislature: Women gained the right to vote in 1967 and the right to stand for election in 1970. Today, women hold 62 (12 percent) out of 500 seats in the National Assembly and 3 (2.5 percent) out of 120 seats in the Senate. In the mid-1970s for a couple years the ratio of women reached 11 percent, however, for most of the country's post-independence period, the numbers never exceeded 5 percent. There is only one female president of a

political party in Congo, Frieda Atalata of La dynamique des femmes politiques congolaises (Dynaefep).

Table 3: Women in DR Congo's legislature since independence.

Year of Election	Seats	Women	%	Seats	Women	%
	Parliament - Parlement					
	House of Representatives			Senate — Sénat		
1960	137	0	0.0	84	0	0.0
1965 ¹²	N/A	N/A	N/A			
	National Assembly — Assemblée nationale					
1970	420	12	2.8			
	National Legislative Council — Conseil Legislatif National					
1975	244	27	11.1			
1977	272	5	1.8			
1982	310	11	3.5			
1987	222	12	5.4			
	High Council of the Republic — Haut Conseil de la République					
1992	453	N/A	N/A			
	Haut Conseil de la République — Parlement de la transition					
1994	738	37	5.0			
2000	300	N/A	N/A			
	Parliament - Parlement					
	National Assembly — Assemblée nationale			Senate — Sénat		
2003	500	60	12.0	120	3	2.5

Sources: Inter-Parliamentary Union 1995, 266; Inter-Parliamentary Union <http://www.ipu.org/wmn-e/classif-arc.htm>

Government: There are three female ministers out of 30 in the government. The number of women ministers in DRC vacillated between one and three until 2000 when it jumped to nine. Out of the 79 positions in the transitional government that was formed in 2003, there are only seven (8 percent) women, one of whom is a rapporteur at the National Assembly. Since 2004, DR Congo women cabinet ministers and members of parliament have formed a group to promote the interest of women. The Women's Development and Family Minister, Faïda Mwangilwa, chairs a provisional

¹² Parliament was dissolved after military coup in 1965

steering committee of the Network. The DR Congo government asked this Congolese chapter of the Network of African Women Ministers and Parliamentarians to provide a list of female nominees to fill 30 percent of the positions in public institutions in the new government. Whether or not this materializes into a significant change in female representation remains to be seen.

E. Representation in Peace Process: When the country plunged into civil war in 1998, women's groups, together with human rights activists, formed lobby groups, organized marches, wrote memoranda, and made trips abroad to bring attention to the conflict and seek a resolution to the conflict. They sought to educate women at the grassroots about the peace process, about electoral politics, and their rights as voters. They had two objectives: one to convince the contending male-led factions that dialogue was essential and the second, to convince them to include women in the negotiations.

In the peace negotiations (1999 Lusaka and the Inter-Congolese Dialogue) women were given 40 out of 340 seats. They had forged a common position before the negotiations. "We knew that we had to be together for the men to hear what we had to say," said Aningina Bibiane, a Congolese peace activist of Women as Partners for Peace in Africa (WOPPA-DRC) and the Caucus of Congolese Women. WOPP-DRC organized a meeting of civil society representatives, government, and opposition parties from throughout Congo to prepare for the 2002 negotiations in South Africa so that a common women's viewpoint could be expressed. They wanted to ensure that women's peace NGOs were part of the peace building process in the DRC.

The women produced a joint statement that called for an immediate cease-fire, provisions to include women and their demands throughout the peace process, and adoption of a 30 per cent quota for women at all levels of government. The women held the men accountable in the negotiations and presented themselves as representatives of ordinary people back home whom they would report back to if the negotiators failed to come to an accord at the 2002 Sun City, South Africa, meeting (Fleishman 2003). Women adopted a variety of strategies to bring about an end to the fighting. Women representing opposing sides of the conflict, held prayer vigils to pressure warring factions to honor the 2002 peace accords in Ituri (Kapinga 2003, 25-26). They held work stoppages, like the one in Ituri on International Women's Day March 8, 2002 to protest the civil war (Mwavita 2002). An October 2002 workshop in North Kivu Province called for the integration of women into the decision-making process, increasing regional trade among the local populations, and opposition to the recruitment of children by armies and militias.

In the capital of Kinshasa over 150 women's organizations were formed to address women's rights concerns. Regional organizations were also formed, like the Réseau des Femmes pour la Défense des Droits et de la

Paix (Women's Network for the Defense of Rights and Peace), which mobilized women in the Kivus in order to get female representation to the Dialogue. In February 2002, over forty Congolese women from a wide range of groups convened in Nairobi, Kenya, to discuss issues to be included in the Dialogue and to bring women's concerns to the table in the peace talks. They also demanded that the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which has been ratified by Congo, be mentioned in the country's new constitution. Women marched in Bukavu to protest Rwanda's involvement in the Congo, saying that "enough was enough." Their statement, which was read by Zita Kavungirwa, said that women were fed up with the eight years of atrocities and the number of victims, which has far exceeded the numbers of victims in the Rwandan genocide (DRCongo Radio 2004). The women targeted the international community, calling for a suspension of foreign aid to Rwanda.

As a result of women's increased mobilization, they began to face repression. In Kinshasa the RCD regularly threatened women, ransacked their offices, and stopped their peaceful demonstrations on dubious grounds (Puechguirbal 2003). When 42 women in Uvira District attempted on April 9, 2005, to march against soldiers who had been destroying their farms, they were taken into custody at Pont Kiliba army post and reportedly faced torture (Radio Bukavu 2005). Congolese legislator Safou Chantal summarized the limits of women's efforts in an interview at a regional women parliamentarian's conference in Nairobi: "We are fighting for the voices of women to be heard, especially in peace matters. We are trying to lobby our government to include women in peace talks to save the country from violence, but we have not been successful yet. I hope we will win," she added (Mulama 2004).

UGANDA

A. Background

Uganda is at a crossroads. In 2003 the country shifted from a unique one-party system to a multi-party system. President Museveni took power in 1986 and was to step down in 2006, after having been elected twice. However, the president is attempting to amend the constitution, allowing himself a third term without limit. He is reported to have paid off members of parliament to the tune of 5 million shillings (\$2,800) each in exchange for their vote in support of a constitutional amendment that would give him a third presidential term. Museveni's National Resistance Movement (referred to as "the Movement") announced in March 2005 that it would form a Women's League to advocate for a third term for Museveni and to promote Movement ideologies.

At the same time, one also finds that leaders of the independent women's organizations have been protesting the proposed lifting of presidential term limits. For example, 18 high-profile women activists went to Parliament in December 2004 to express their opposition to the constitutional amendment pertaining to presidential terms, also known as *kisanja* (dry banana leaves) (*New Vision* 2004). Over 96 civil society organizations that make up a Coalition on Constitutional Amendment (CCA), led by the Uganda Women's Network coordinator Solome Nakawesi, have opposed the lifting of presidential terms. She said, "Lifting term limits is to ignore the lives lost and persons displaced through misrule" (*New Vision* 2005). These debates have taken place in an increasingly repressive political environment, where freedom of speech and association may be curtailed.

The government is committed to adopting a two-pronged approach to resolving an 18-year conflict in northern Uganda with the Lord's Resistance Army (LRA) led by Joseph Kony. It is pursuing dialogue through peace talks alongside a military solution to the conflict. Joseph Kony is the nephew of Alice Lakwena, the spirit medium who led thousands of unarmed Acholi soldiers into battle with the Ugandan government forces with her Holy Spirit Movement. This movement was defeated in 1988, when Lakwena fled to Kenya. The Sudanese government then backed Joseph Kony because of Uganda's support of Col. John Garang's Sudanese Peoples Liberation Army, a rebel force that had been operating in southern Sudan. Kony has been leading the LRA in carrying out systematic violence against people in northern Uganda since 1988. His army has abducted overall around 28,000 children, who have been used as soldiers, sex slaves, and porters. Abducted girls are used as sex slaves and domestic servants. Thousands died in captivity.

In one year between June 2002-2003 LRA rebels abducted 8,400 mostly children. In that same period, the UPDF rescued 6,000 children. However, the abductions were ongoing, forcing 44,000 children to come into towns and to seek refuge in hospitals at night to escape possible abduction (Human Rights Watch et al. 2003b). It is said that 80 percent of LRA's soldiers are children between the ages of 6 and 17 and about one third, or 6,500 are girls, some as young as eight years of age (Africa News 2004, Comtex News Network 2005). Over 500,000 people have been killed in the conflict or have died in refugee camps as a result of hunger and disease. The situation in northern Uganda has become a severe humanitarian crisis, with thousands killed, hundreds of thousands of civilians injured, and between 1.6 million have been internally displaced (over 80 percent of northern Uganda's population), while famine and illness have ravaged the population.

United Nations under-secretary general for humanitarian affairs Jan Egeland has called Northern Uganda the "largest neglected humanitarian emergency in the world". A survey conducted by Médecins Sans Frontières in 2004 in six IDP camps in Lira and Pader districts discovered a rate of 2.8 deaths per 10,000 people each day. Generally a rate of 2 per 10,000 a day is classed as an "emergency out of control." For children under five years of age, the mortality rate was at an alarming 5.4 deaths per 10,000 children a day, with the rate as high as 10.5 deaths per 10,000 children a day in one location. The same study found that over 5 percent of the population had been forced to harm or kill someone.

The government has allocated virtually no resources to dealing with the humanitarian crisis, leaving it entirely up to non-governmental organizations. Acholi leaders like MP for Gulu Municipality, Norbert Mao, claims that 80 percent of the Acholi population has been forced into protected camps, which "were created so that the people could be controlled and to make them more dependent on the government. The movement of the people was restricted and their ties to their land and cultivated fields were cut off. The painful strategy of concentrating people in camps was to last a short time but eight years on, there's no end in sight and the rebels have launched audacious raids on the camps, killing and abducting people right under the very noses of government troops" (Monitor 2005a).

The international community's response to the crisis in northern Uganda has been unimpressive to say the least. The conflict has received very little attention and UN efforts to raise funds for the humanitarian crisis resulted in pledges amounting to only one third of the \$54 million sought in a November 2004 UN appeal (Lederer 2005).

Several attempts have been taken to end the conflict, including several peace accords with Sudan (1999, 2002, 2003). Peace talks were initiated with the LRA in 1993-1994, in 2003, 2004, and several times in 2005, but they have always been punctuated by periods of prolonged

conflict and intense military operations such as Operation North (1991–1992) and Operation Iron Fist, (2002-03 and 2004 and 2005). The killings by the LRA have intensified since the 2005 peace talks started.

Critics argued that more efforts should have gone into peace talks with the rebels and into dealing with the problems underlying the conflict rather than focusing simply on military strategy. As a result of heightened attacks by Joseph Kony and no end in sight to the conflict, about 34 members of parliament from Lango, Acholi and Iteso walked out of the assembly on November 20, 2003, and refused to return until peace was restored to their areas. They said their many proposals for a solution had been ignored. As a result, Betty Bigombe was brought back as a negotiator with Kony. It was hoped that the 2005 signing of a peace agreement ending the conflict between the Sudanese government and the Sudan People's Liberation Army would facilitate the ending of Uganda's conflict with Kony. Sudan had already allowed Museveni to pursue the LRA within Sudanese territory. It has been difficult to negotiate with Kony since the LRA does not have any particular agenda or objectives. However, there have been strained but ongoing communications between the government negotiator, Betty Bigombe and Joseph Kony.

B. Women and Violence

An Isis-WICCE report on the Psychological and Gynecological Consequences of the war on women in Uganda based on a study conducted in Gulu district in northern Uganda, gives some picture of the magnitude and effects of the war on women. In a survey of 1,018 respondents in Awer refugee camp for internally displaced people, 64 percent were women. The Lord's Resistance Army was responsible for 70 percent of the attacks. The National Army NRA (UPDF) was responsible for 25 percent of the violent attacks. The majority reported having been tortured in their homes.

The majority of the population (80 percent) in this district have faced severe trauma and its related psychological consequences compared to the 12 percent rate reported at primary health care clinics in Uganda, with women indicating slightly higher rates of psychological distress than men. Over 89 percent of the population had experienced at least one conflict-related torture event. The most common physical torture women faced was beating and kicking (35 percent), forced hard labor (11 percent), and being deprived of food, water and medicine (15 percent). Over 54 percent had experienced having relatives killed in the war, 43 percent endured verbal abuse, 61 percent had slept in the bush or swamp, 28 percent had experienced abductions and 46 percent the destruction of their property and livestock. Even higher rates were reported between 2002-2005 in Pader Town Centre, where 63 percent had experienced the disappearance or

abduction of family member, 58 percent had relatives killed as a result of the conflict, 79 percent had witnessed torture, and 40 percent had witnessed a killing (Médecins Sans Frontières 2004).

Both men and women in the Gulu survey experienced serious psychiatric disorders. The mental health workers at the Awer camp reported that among women, the most common psychiatric disorders included post-traumatic stress disorder (40 percent), depression (52 percent), alcoholism (14 percent), panic anxiety disorders (67 percent), agoraphobia (48 percent), social phobia (17 percent), somatoform disorder (76 percent) and having suicidal thoughts (22 percent). In the more recent 2004 MSF study in Lira and Pader districts 62 percent of women reported having contemplated suicide. Women in Gulu also reported difficulties in working (18 percent), family life (11 percent) and poor sexual function (16 percent). Most respondents (97 percent) had sought treatment for their psychiatric problems from traditional healers, whereas 16 percent had sought help from the mental health clinic in Gulu Hospital. However, the hospital only had one psychiatric clinical officer and six psychiatric nurses for a population of roughly 400,000 (Médecins Sans Frontières 2004).

The high rates of specific gynecological problems are indicative of the levels of sexual violence experienced by women in these camps: Prolapse (37 percent), genital sores (31 percent), painful intercourse (12 percent), chronic pelvic pain (9 percent), unwanted pregnancy (9 percent), urinary fistula (7 percent), fecal fistula (7 percent), swellings in the abdomen (4 percent) and vaginal tearing (3 percent) (Isis-WICCE 2001). Many women in northern Uganda will not go out into their fields or allow their daughters to go out because they risk being raped, abducted and tortured. The LRA, UPDF and even civilians are blamed for the increases in rapes in this region. Recently, the Kitgum District women's MP Akwero Odwong revealed to parliament that government troops had gone on a rampage in March 2005 and gang-raped 15 women and girls (Monitor 2005b). Many raped women and defiled girls suffer from social stigma as well as unwanted pregnancies and sexually transmitted diseases, including HIV/AIDS. The HIV/AIDS infection in Gulu district is 11-12 percent higher than the 5-6 percent national rate. The overall situation has increased male alcoholism and idleness, creating additional problems for women as a result of domestic violence, rape, forced marriages and other social problems. Christine Akumu Okot, who heads up the gender affairs department in Gulu District reports that poverty has made fathers try to force their daughters to marry very early. Many women who live in the camps are single mothers whose husbands were abducted.

B. Role of Culture and Social Institutions

The most significant advances for women in Uganda have been made in the area of Constitutional reform. Women were active in all phases of

writing, deliberation and passage of the 1995 constitution. Some of the most important provisions for women include the following:

- The Constitution provides for equal protection for all people under the law regardless of sex, race, color, ethnic origin, tribe, religion, social or economic position, political opinion or disability.

- The Constitution ensures women's right to equal opportunities in political, economic and social activities. The Constitution guarantees reserved seats for groups marginalized on the basis of gender or other reasons for "the purpose of redressing the imbalance which has existed against them." Moreover, it calls for the creation of an Equal Opportunities Commission that would ensure that this principle is applied (this has not materialized). The preferential treatment provision can be applied to education, politics, economics, and other areas. It allows for one woman to run for parliament as a women's representative in each district. Women may also run for openly contested seats. Women can claim one third of the local government council seats. This last provision was one fought for vigorously by the women Constituent Assembly delegates.

- The Constitution allows for women to be eligible for the same jobs as men, and they should be paid the same as men for the same work. Women are given job protection before and after pregnancy.

- The Constitution recognizes the "significant role women play in society." This permits recognition of the heavy responsibilities women shoulder in contributing to the income and welfare of the family and to society. It allows for the protection of the family, thereby paving the way for the enactment of a law that addresses domestic violence. There is recognition of women's unique contributions to society through maternity leave legislation.

- The Constitution supports customary values in so far as they promote human rights, freedom, human dignity and democracy, but prohibits "laws, cultures, customs and traditions which are against the dignity, welfare or interest of women or which undermine their status . . ."

- The Constitution requires the state to register all births, marriages and deaths, which gives protection to women who have customarily not registered their marriages, making them especially vulnerable in terms of their rights in the event that their husband were to die. It protects widows, allowing them to keep their deceased husband's property; to decide on a burial place for their husband; to choose where they themselves want to be buried; and it gives them the right to reject being married to their husband's brother. Widows have the right to act as guardians of their children upon the death of their husbands.

- The Constitution sets a minimum age of marriage at 18. It also provides for equal rights in marriage, equal rights to acquire and use property, and equal rights to share family property on the dissolution of the marriage. Married women have the freedom to attend and participate in meetings. Women have the right to choose whom to marry since forced marriages are forbidden.

- The Constitution allows foreign men who marry Ugandan wives to claim Ugandan citizenship. In previous constitutions, citizenship was only granted to foreign women who married Ugandan husbands.

- Finally, the Constitution protects children and vulnerable persons against abuse, harassment and ill-treatment (Tripp 2000).

Uganda's women parliamentarians were instrumental in passing amendments to the penal code (Sections 117, 118, 122 of Chapter 156 of the Penal Code) in 1990 that made rape a capital offense and punished hotel owners for allowing prostitution on their premises. There were growing incidences of rape and child defilement in both rural and urban areas that were seen as linked to the high rates of HIV infection in Uganda. Some men were preying on girls with the belief that they were less likely to be infected with the disease, while other men infected with HIV were found to be raping women. While the amendment drew attention to the fact that women took the issue of rape and sexual harassment very seriously, in practice it did little to deter rape.

The women's movement has been less successful in tackling legislation that strikes at the heart of customary practices. They have been trying to pass a Domestic Relations Bill, which addresses issues of inheritance and succession as well as the regulation of polygamy, payment of bride price and the age of marriage. The bill was discussed for four decades without being introduced in parliament. The Uganda Women Parliamentary Association (UWOPA) and the Coalition on the Domestic Relations Bill (DRB) initiated a new campaign in 2002 to lobby for the bill, which was introduced for parliamentary debate in 2003. Two years later President Museveni withdrew the bill, saying that it might not be passed into law because it was not urgent and because of the complaints from the Muslim community and from the public. Women parliamentarians were divided over this move. One woman parliamentarian Salaamu Musumba commented, "There is no political will from the Movement government to help the women of this country." Another parliamentarian from the north, Betty Amongi (Apac) was also very critical, "The DRB has been there for the last 40 years and we thought this was the right opportunity."

Women activists experienced a similar disillusionment with the political will of an administration that had promoted itself as an advocate for women when they sought to introduce amendments to the 1998 Land Act. The Land Act was passed to create a system of tenure, ownership, and

administration of land. It was also to improve land service delivery by decentralizing land administration. Women activists initially succeeded in obtaining key clauses in the Land Act to protect women. One provision in the Act requires the prior written consent of both spouses in transactions involving family holdings. The Act prohibits decisions pertaining to customary land that deny women access to, ownership of, or occupation of land. The Act requires that the Uganda Land Commission should have at least one female out of its five members, one third of the membership of the District Land Boards should be female, and land committees at the parish level should have at least one women out of the four members. In addition, at least one-third of the Communal Land Management Association members must be women. These associations are legal entities under the Land Act that may be formed by anyone for the purpose of communal land ownership and management.

In the period leading up to the passage of the 2000 amendments to the Land Act, however, women's rights activist and organizations also lobbied without success for the inclusion of a co-ownership clause into the Land Act. They networked under the rubric of the Uganda Women's Network (UWONET) and the Uganda Land Alliance (ULA) and coordinated lobbying efforts. It is the struggle over this co-ownership clause that brought to a head the conflict women activists have confronted with customary land practices that are commonplace throughout the Great Lakes region.¹³ Co-ownership of land between spouses and or family members is controversial in most African countries, especially those undergoing land reforms. It is only South Africa and Tanzania that have enacted legislation requiring land co-ownership by married couples.

The insistence on the co-ownership clause stems from the fact that current legislation, given customary practices, provides limited possibilities for women to own land. In patrilineal societies, which are most prevalent in Uganda, women generally do not inherit land from either their fathers or their husbands. Their fathers often do not bequeath land to their daughters because daughters marry outside the clan, and will therefore take the land with them to another clan. Husbands often do not bequeath land to their wives for the same reason: They need to ensure that the land remains in the clan because they worry that the widow might sell the land to non-clan members. In some societies in Uganda, if the husband dies, the wife and children are inherited by the husband's brother or another family member so that he may provide for them. This practice is dying out, raising fears that if a widow remarries outside the clan, the clan land she has acquired is lost.

¹³ Actually there were four clauses that were being contested. These included: 1) an individual bringing land into the marriage can continue to own that land after marriage; 2) in monogamous marriages, home and land used for sustenance by couple are to be co-owned.; 3) in polygamous marriage where each wife has a separate home, each woman would co-own with her husband her home and the piece of land that sustains her and her children; 4) wives living in the same house with their husband would co-own the single home and land together with the women.

Thus under customary law, which prevails in Uganda, a woman may have jointly acquired land with her husband and may have spent her entire adult life cultivating the land, but she cannot claim ownership of the property. If he dies, the land generally goes to the sons, but may also be left to daughters. Nevertheless he may still leave the wife with no land and therefore no source of subsistence.

Land is the most important resource in Uganda because people depend on it for cultivation, hence their livelihood. In Uganda, unequal access to land is one of the most important forms of economic inequality between men and women and has consequences for women as social and political actors. Women provide 70-80 percent of all agricultural labor and 90 percent of all labor involving food production in Uganda, yet they own only a fraction of the land. Similar patterns are found elsewhere in Africa. Women are generally responsible for providing for the household, therefore their access to land for food production is critical to the welfare of the entire household. Even women who want to get into business need land as collateral to obtain bank loans. Since women are almost completely dependent on men to access land, women who are childless, single, widowed, disabled, separated/divorced or with only girl children often have little or no recourse because they may have no access to land through a male relative (Tripp 2004).

For this reason the co-ownership amendments to the Land Act were so critical for women in Uganda. Overall, the record of legislative change regarding women's concerns has been unimpressive. This can perhaps be attributed to the weakness of the legislature relative to the executive, a weak tradition of lobbying and advocacy, and the loyalties of many of the parliamentarians. Moreover, parliamentarians face minimal pressure from constituents on gender issues, and women's organizations do not generally work directly with specific constituencies to get them to influence their parliamentary representatives.

C. Role of Women Decision-Makers

The growing numbers of women in politics has been one of the biggest changes fostered by President Yoweri Museveni since he and his National Resistance Movement (known as "the Movement") came to power in 1986. The changes have occurred also as a result of pressure from women's associations. Some feel that the pro-women stance of Museveni's Movement has been adopted largely to influence women voters. Regardless of the motivations for many of these changes, the increased presence of women in positions of power has had a significant impact on the general acceptance of women as public figures.

Legislature: Women in Uganda gained the right to vote and to stand for office at independence in 1962. Today Uganda has the sixth highest percentage of women in parliament in Africa. It was one of the countries that led the way in encouraging the trends we see in Africa today to increase the number of women parliamentarians, having increased the number of female Members of Parliament (MPs) to 18 percent as early as 1989. Today one quarter of all parliamentary seats in Uganda are held by women, a large increase from the one seat that was held in 1980.

The NRM introduced reserved seats for women in the legislature in 1989, increasing the number of women dramatically. Women parliamentarians were now to be elected by an electoral college with one woman from each district. The way in which the majority of women parliamentarians are elected through this electoral college creates allegiances to the NRM which have at times made it difficult for the women parliamentarians to pursue legislation pushed by the women's movement, e.g., amendments to the 1988 Land Act that pertained to women.

The 2001 elections also saw an increase in the number of women running for open constituency seats (rather than the 56 reserved women's seats). In 1989, two women won constituency seats. In the 1996 parliamentary race the number of women contesting open seats was only 26 with 8 winning. By 2001, 32 ran for constituency seats and 13 won. The biggest change, however, was in the overall numbers of women running for office. In 1996 the total number of women running for parliamentary seats was 135, while in 2001, 203 women ran in the parliamentary elections

Within parliament, women have generally had poor representation in the leadership of Standing Committees (women served as chairs of only two out of nine committees in 2002), but have had slightly better representation in leadership of Sessional Committees. In the past women have also experienced difficulty being taken seriously and listened to in parliament, but this may be slowly changing as women's presence becomes more prevalent.

Women hold one third of local council seats, which makes Uganda a leader worldwide in female representation in local government.

Government: From 1993 to 2003, Uganda had a woman vice president, Dr. Speciosa Wandira Kazibwe, making her the first female vice president in Africa. Uganda also has 18 female ministers (26 percent) out of 69 cabinet ministers. Of these only three are full ministers, which women's groups argue is too few. Women, however, are not only relegated to the ministries of education, community development, culture and gender. One also finds women appointed to ministries of defense, agriculture, internal affairs, energy, justice and constitutional affairs and other ministries that are not stereotypically considered "women's ministries."

Table 4: Women in Uganda’s legislature since independence.

Year of election	Seats	Women	Percentage
1962 ¹⁴	91	2	2.2
1971 ¹⁵	N/A	N/A	N/A
1980 ¹⁶	126	1	0.8
1989	278	34	12.2
1994 ¹⁷	270	47	17.4
1996	276	52	19.0
2001	304	75	24.7

Sources: Inter-Parliamentary Union 1995, 251; Women in National Parliaments, Inter-Parliamentary Union <http://www.ipu.org/wmn-e/classif-arc.htm>

Women have made inroads into other areas of government appointments. Since 1996 the head of Public Service has been Florence Mugasha and women claim 44 percent of the positions on the Public Service Commission. For 15 years Hope Kivengere served as President Museveni’s press secretary. Elizabeth Kuteesa is the first woman to direct the Criminal Investigation Department (CID). Edith Sempala has been Ugandan ambassador to the U.S.

Several key commissions have also been chaired by women. For example, the Uganda Human Rights Commission (UHRC) has been led by Margaret Sekaggya, and one third of the members of the commission are women. The no-nonsense Hon. Lady Justice Julia Sebutinde, a judge of the High Court, directed the Judicial Commission of Inquiry into Corruption in the Police Force. She uncovered serious cases of abuse, brutality and corruption all the way to the top in a relentless investigation. Her performance was so remarkable that minibus drivers pinned her picture on their windscreens to scare off policemen seeking bribes. As the hearings unfolded, her name became a household word: “to Sebutinde someone” became a popular way of talking about exposing lies.

Judiciary: The Supreme Court has 14 percent female judges, including Hon. Lady Justice Laetitia Mukasa-Kikonyogo. Women hold 25 percent of all positions in the Court of Appeals, 26 percent in the High Court

¹⁴ Assembly dissolved after military coup in 1966.

¹⁵ Assembly dissolved after military coup in 1971.

¹⁶ Assembly dissolved after military coup in 1985.

¹⁷ A Constituent Assembly was elected in 1994 to debate the new constitution. It was composed of 288 members including 54 (18.8%) women.

and represent 30 percent of chief magistrates. Not surprisingly, there is widespread acceptance of the political role of women in Uganda, which is borne out in a 2000 survey carried out by the International Foundation for Election Systems. This survey showed that 80 percent of women are registered to vote and 75 percent participated in the 1996 elections. At least 86 percent of women and 73 percent of men felt it was important for women to be in government; 91 percent of men and 95 percent of women felt it was important for women to be members of parliament and 49 percent of men and 66 percent of women thought a woman can and should be president of Uganda (Bratton et. al. 2000).

E. Peace Initiatives and Women

Women throughout Uganda, but particularly, in the North have launched numerous initiatives and formed organizations to advocate for peace in the north. They have carried out peace demonstrations and sought practical solutions to address instability and the consequences of instability in the north. Gulu Women Movement for Peace (GWMP) is one such group formed in 2002. The organization visits parents of abducted children and encourages them to find their children and persuade them to return home (Mulama 2003). Women in Peace Building are another faith based peace initiative in northern Ugandan that is tied to a broader initiative of religious leaders who are trying to broker a peace agreement between the government and the LRA. Women in the region are also networking with national organizations like Amani Forum Uganda of women parliamentarians from the Great Lakes region as well as the Uganda Media Women's Association. Since 1999, the Kampala-based Women's International Cross-Cultural Exchange (Isis-WICCE) has been especially active in carrying out research on women in the north and organizing training institutes on leadership skills and engagement in peace processes at the national and regional levels. They have brought Ugandan women together with women from Burundi, DR Congo, Kenya, Liberia, Mozambique, Sierra Leone, South Africa, Sudan, Tanzania, and Uganda.

V. Why Have Women Worked Collaboratively for Peace in the Great Lakes Region?

One of the striking characteristics of women's mobilization in the Great Lakes region is that in spite of sharp differences and bitterness, at the end of the day women have been able to mobilize along non-partisan, non-ethnic, non-clan lines and across so-called "enemy" lines in peacemaking and peace building efforts. More often than not, they have come to peace talks as a bloc, already united across their differences, not just in Burundi and DR Congo but in other parts of Africa as well. These attempts to work collaboratively include not only peace talks within a country but also within the region and between conflicting regional parties. To explain this phenomenon it is necessary to examine the ways in which gender is constructed in Africa in the household, extended family, and clan, but also within contemporary political structures.

A. Relationship to Lineage

Married women in patrilineal African societies often find it easier than men to form linkages and associations that cut across ethnic, clan, and kinship ties. This is because once they are married they effectively move away from their natal home location and focus on building a life in the clan and locale of their husband. Yet they are always considered to be outsiders in their husbands' clan. They are restricted from membership in clan and kin associations. Unlike men, who are more likely to be involved in the affairs of their lineage groups, women from such societies find it easier to associate with people outside of their primary affiliations and build close relationships with women from other kin groups who face a similar predicament.

"Because we straddle society and bind it across its multiple divides we unhesitatingly reject the notion of ethnic, tribal or clan affinity or affiliation as inherently conflictual and therefore a legitimate basis for the wars which are ravaging the continent," read the Federation of African Women's Peace Network's appeal to the Secretary General of the Organization of African Unity, explaining why women need to be incorporated into peace initiatives. It continued: "Because we readily surrender our identity of birth to the institution of family; because we are flexible enough to embrace new families and accompanying responsibilities; because we take care of the infirm and the elderly according to society's dictates, we categorically and unequivocally reject religious and cultural bigotry" (Snyder 2000). Although this FERFAP statement is a political one that was aimed at persuading the

predominantly male leaders of the OAU, it derives from patterns of lineage relations that have implications at both the national and local levels.

Patrilineal societies may have also historically given women greater latitude in their behavior towards competing groups because of their women's natal connections outside their husbands' homes. Because women's coalitions from the outset were broadbased, cutting across ethnicity, region, class and other lines and often included contending parties, they were often perceived as more neutral and objective in the context of peace negotiations. Thus when they came to the negotiating table, they may have been perceived as having more credibility than male negotiators. But much of this trust was not just based on perceptions and stereotypes about women's integrity. The perception had to be earned.

B. Division of Household and Community Labor during Times of Conflict

A second reason for women's peacemaking abilities arises out of their household responsibilities and the division of labor within the household and within local communities. Conditions of conflict have frequently forced women to become the sole provider for the family and to shoulder additional responsibilities in maintaining the household. Women have been pushed into new economic roles in the absence of their menfolk. The absence of male household members has also given them the space that otherwise might not have been there to participate in civil society organizations and in peace initiatives.

Out of necessity, women have come together to handle practical matters of finding food, clean water, and shelter during civil conflict or in its immediate aftermath. After the 1994 Rwandan genocide that left 800,000 dead, the Rwandan Women's Initiative (RWI) started taking care of both Tutsi and Hutu orphaned children. The initiative established a rotating seed fund, offered tips on ways to start small businesses, and helped some of the estimated 500,000 orphans to find homes. Aloisea Inyumba, the head of the Unity and Reconciliation Commission and founder of the RWI recounts: "We said, 'Every home a child, every child a home.' Women went to the orphanages and took children home. Hutu and Tutsi women have all taken children, regardless of ethnic background. It was the first step in reconciliation" (Ciabattari 2000). Such practical actions helped to begin to reconcile the deep psychological scars between the two groups.

Sometimes engaging in practical everyday joint activities is the only way to work through the feelings of intense distrust and hurt. Reconciliation as a concept is too abstract for most people but taking practical action to address very real problems can make a difference. Rwandan Rose Rwabuhiri explained in an interview in 1999 that the

question should be: "Is there a way such that we can live together?" As Rwabuhiri pointed out, women share common problems in the areas of health, nutrition, water, caring for children, all of which have been compounded by the genocide. They also have been excluded from formal power and from decisions that affect their lives. They share these problems, Rwabuhiri explained and should look for peace together with the understanding that "the crisis is killing me as it is killing her."

Even in moments of conflict, cooperating around the mundane can be a balm amidst the upheaval. The Centre for Women in Burundi worked with Hutu women from Busoro and Tutsi women from Musaga villages and reported stories of women who in the worst of the fighting in 1999 came to organize an exchange of humanitarian aid as a gesture of solidarity between two groups. Women from Musaga collected what food and clothing they could find for the women in Busoro, who had been previously attacked. As they heard gunshots in the surrounding hills, they gathered at an administrator's office, gave speeches pleading support to one another and chanted and sang and danced and sang for hours, "we are the women of Busoro, we are the women of Musaga, give us peace, give us peace now!" until the gunshots subsided (Femmes Africa Solidarité 2004).

The view that women are more interested in concrete peacemaking activities rather than conflict is a popular perception in conflict-ridden African societies. Although sometimes expressed in essentialist terms, many do see it as arising out of and as a consequence of women's constructed roles in the household and community. For example, Bineta Diop, president of Femmes Afrique Solidarite, argued that while men are used to wielding authority, women are, of necessity, better at compromise and consensus-building. "In our society, in Africa, you will see the women working together for health care and education and food. They are the ones taking care of the community, and they bring those values of solidarity, of listening, to the [peace] table. They bring the men around to those issues" (Fleshman 2003).

C. Women's Marginalization from Politics

Women have generally been marginalized from most forms of power, including informal patronage networks and resources. Because of this, women collectively have less at stake in preserving a status quo that has brought them considerable suffering. They are therefore more likely to build alliances that can deescalate conflict and promote stability. They have more often than not been the first to work on concrete mutual concerns that cut across sharp differences, often under very dangerous circumstances (Benderly 2000). In other words, women have less to lose by a change in the status quo. Thus it is easier for them to be forward looking and think about the broader consequences of war beyond issues of personal power and what they as individuals might stand to lose under conditions of peace.

It has also meant that women are less beholden to the powers that be and to the norms associated with power. In some instances women have breached norms that perhaps needed to be breached and have got away with it because women are so marginalized.

One consequence of this marginalization has been the use of gender as a basis for joint mobilization around the cause of women's advancement, political representation, and other common concerns that arise from women's low status in society. Women's mutual interests thus have the potential for mobilization that overrides ethnic, clan, religious, class and other potential differences.

D. The Motherhood Paradigm

Some women attribute their skills of persuasion to their success. In the DRC negotiations, as one participant in the peace talks, Aningina Bibiane, put it: "At first, the men were hostile because there was this group of women entering 'their' space. But we approached them in a way that made them feel secure. In African culture the woman is your mother. The woman is your wife and sister. If your mother or sister is talking to you, you have to listen. We didn't demonize the men or try to take their place" (Fleshman 2003). In the Gulu District of Uganda, women peace activists appealed to women as mothers and got mothers to walk into remote enemy territory to persuade their kidnapped children to lay down their arms, in an effort to disarm child soldiers.

Women in the Great Lakes region and other parts of Africa have frequently used their cultural association with motherhood in a way that gives them leverage in society as a whole. It plays into a very powerful cultural frame in the African context. For example, in a recent women's march for peace in Kinshasa, Democratic Republic of Congo, the banners women held read: "What women want, God wants. Congolese mothers want peace." The association with motherhood in Africa does not have the same connotations that it does in the West nor does it evoke a limited sense of women's possible roles. Instead, it is used as a political tool and rhetorical device for maximum effect. There is, for example, in many African societies no stronger curse than that of women undressing themselves publicly and showing their nudity as mothers in the face of authorities who are abusing power.

In the continuing conflict in northern Uganda between northern rebels and government forces, 1,500 women from the northern Gulu district protested the fighting on both sides in a peace march in 1989 and in subsequent demonstrations. But in this particular march through the streets of Gulu the women protested for five hours the "bitterness of the

war." They wore their mourning dresses, tied scarves around their heads, and carried baskets as they wept, chanted funeral songs and blew funeral horns. Almost the whole town was weeping. Many of the women were half naked, lifting up their breasts to demonstrate the most vehement of curses against wrong-doers. Baring their breasts was symbolic of their resistance as mothers (*New Vision* 1989, 6).

E. International Instruments and Organizational Cooperation

Despite the challenges facing women's peace organizations and initiatives in the region, many groups have made linkages with other organizations throughout the Great Lakes Region and across the continent in order to strengthen their position, bargaining power, and resources. Some women's groups and bodies have sought important international ties that could assist their efforts financially and put pressure on domestic actors. More importantly, they sought leverage from international bodies like the United Nations (through the UN Security Council Resolution 1325), CEDAW, and African Union protocols. This has given them international credibility and justification for a role for women at the local level. Whether these efforts have always translated into equal representation of women and full consideration of their concerns is another matter, but at least it gave them legal and political grounds on which to argue for a greater role for women in peacemaking and peacebuilding. For example:

- Numerous meetings have been held of civil society and women's organizations and networks in the Great Lakes region to ensure that women's issues were brought into overall Great Lakes peace strategies, that women's rights be treated as human rights, and that women are represented in all peace initiatives.
- Women delegates sought 50 percent female representation in all public bodies at an International Conference on the Great Lakes Region, sponsored by the UN and the AU in October 2004. They also called for concrete measures to find and punish perpetrators of such human rights crimes like rape and sexual violence.
- In 2005 the African Union and the UN Development Programme (UNDP) established a continental watchdog on women's rights to collect, process and disseminate data on issues relating to women in governance and peace building.
- Central Africa Women Parliamentarians and East African Women Parliamentarians have been meeting to exchange ideas and strategies regarding peacebuilding and women's political representation as has the Great Lakes Parliamentary Forum for Peace, also known as Forum AMANI involving over a hundred women parliamentarians from Kenya, Uganda, Tanzania, DRC, Burundi, Rwanda, and Zambia.

- African women's rights organizations are have adopted a campaign to get countries to ratify a protocol that specifically protects women's human rights. The African Commission on Human and Peoples' Rights together with Human Rights Watch have sponsored the campaign. Full text of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa is available at http://www.achpr.org/english/_info/women_en.html. Adopted in 2003, the Protocol requires at least 15 governments to ratify before it becomes law.

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