

LIVING WITH FEAR

A population-Based
Survey on Attitudes
about Peace, Justice and
Social Reconstruction
in Eastern Democratic
Republic of Congo

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INTRODUCTION

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GENERAL OBJECTIVES

Berkeley-Tulane Initiative on Vulnerable Populations

- Conducts research in countries experiencing serious violations of human rights and international humanitarian law to give a voice to survivors of mass violence in the social reconstruction process

Collaboration with ICTJ

- Attitudes towards Peace, Justice and Social Reconstruction

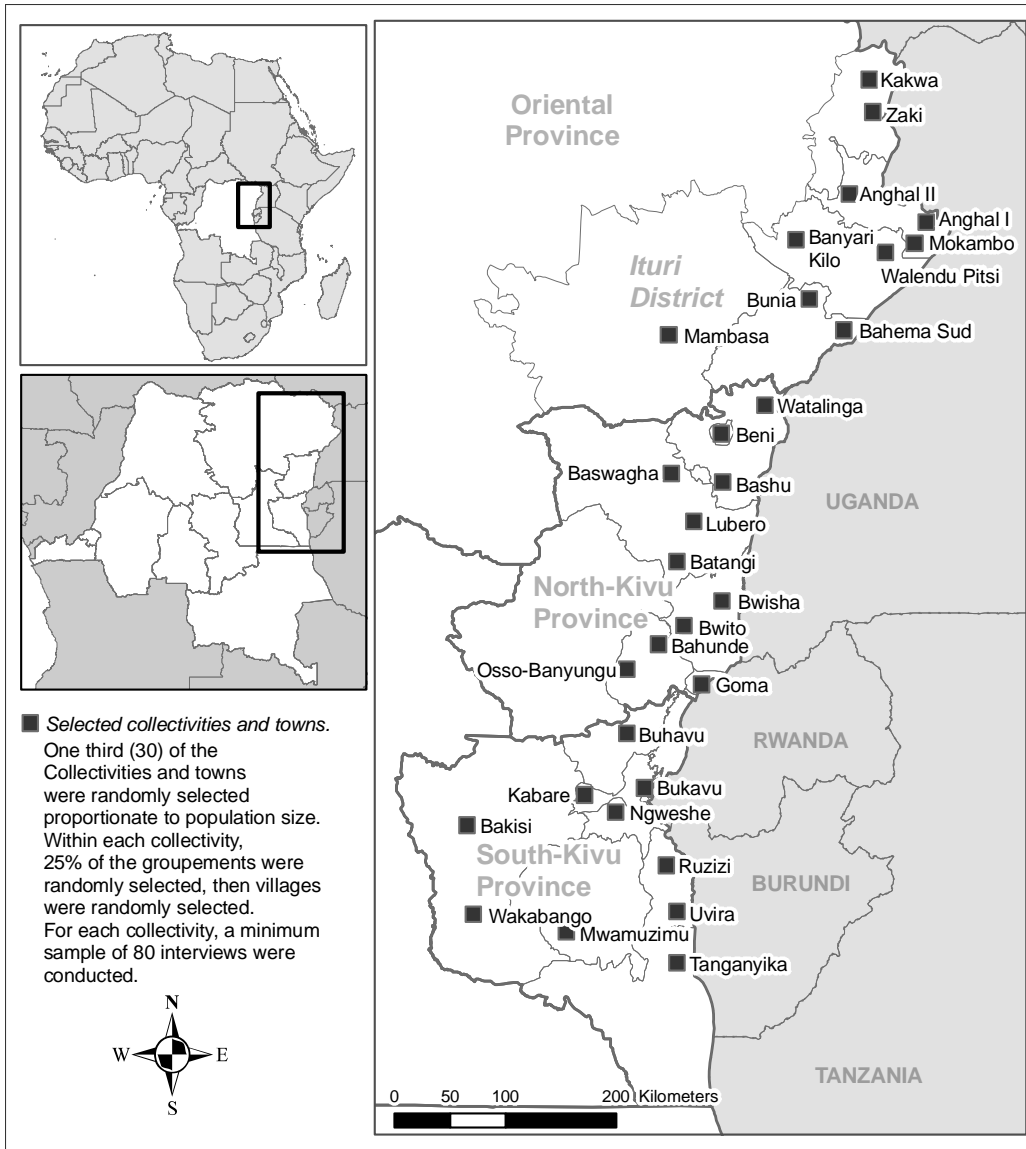


SPECIFIC OBJECTIVES - DRC

1. Exposure to violence;
2. Priorities and needs of civilians;
3. Attitudes about peace and social reconstruction
(resettlement, protection, unity, DDR).
4. Attitudes about transitional justice mechanisms.
5. Relationship between peace, justice, and social reconstruction.



METHODOLOGY



Eastern DRC
2,620 interviews

- North Kivu 1,081
- South Kivu 815
- Ituri District 724

Open-Ended
Questionnaire

Locally trained
Interviewers

Respondents:
Variety of
Ethnicity, Age, Socio-
Economic Groups



METHODOLOGY

Same Questionnaire in
Kinshasa (592)
Kisangani (541)

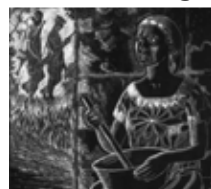
Context and research design informed by
key informant interview

Limitations

RESULTS FOR EASTERN D.R.CONGO

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ORIGINS OF THE CONFLICTS

<i>In your view, what are the origins of the conflicts in eastern DRC ?</i>	North Kivu	South Kivu	<i>Ituri</i>	<i>Total</i>
Conflicts over power (%)	48.9	50.2	39.8	46.8
Exploitation of natural resources (%)	39.0	42.2	26.7	36.6
Conflicts over land / access to land (%)	24.8	24.5	60.1	34.5
Ethnic divisions (%)	25.6	23.7	39.8	28.9
Ignorance of people (%)	13.0	12.5	11.9	12.5
Rwanda (%)	4.7	7.1	3.0	5.0
International community (%)	1.0	0.7	1.4	1.0
Problems with nationality (%)	13.5	15.6	14.6	14.5
Poverty (%)	10.7	13.1	12.2	11.9
Other (%)	7.9	8.1	6.1	7.4
Don't know (%)	2.9	3.1	1.7	2.6



EXPOSURE TO VIOLENCE

81% identify themselves as victims

81% displaced

Over 2/3 lost wealth, access to basic needs

1/2 faced

- death threats
- beatings
- forced to carry loads, to work

1/3 abducted for a week or more.



DISPLACEMENT

- 81% displaced at some point
- average number of displacement:
 - Ituri: 2.5
 - South Kivu: 3.3
 - North Kivu: 3.7
- Generally Short Term
- Generally NOT in camps



SENSE OF SAFETY

Sense of Safety

(% of respondents who felt safe or very safe in the following situation)

	North Kivu	South Kivu	Ituri	Total
Go to nearest market (%)	38.0	73.7	73.2	58.9
Go to the field, fetch wood or water (%)	29.7	73.0	64.4	52.7
Go to nearest town / village (%)	28.7	69.1	60.8	50.1
Sleep at night (%)	20.5	67.7	72.1	49.5
Meet policemen (%)	27.8	54.0	62.0	45.4
Meet people from another ethnic group (%)	27.2	55.7	60.6	45.3
Meet strangers (%)	18.1	53.3	55.7	39.4
Walk at night in village (%)	17.4	58.0	47.8	38.4
Talk openly about your experience during the conflict (%)	14.1	44.0	39.1	30.3
Meet soldiers / armed groups (%)	6.8	34.5	30.8	22.0

Protection?

FARDC (37.8%)

God/Jesus (31.3%)

Police (11.3%)

Nobody (6.0%)

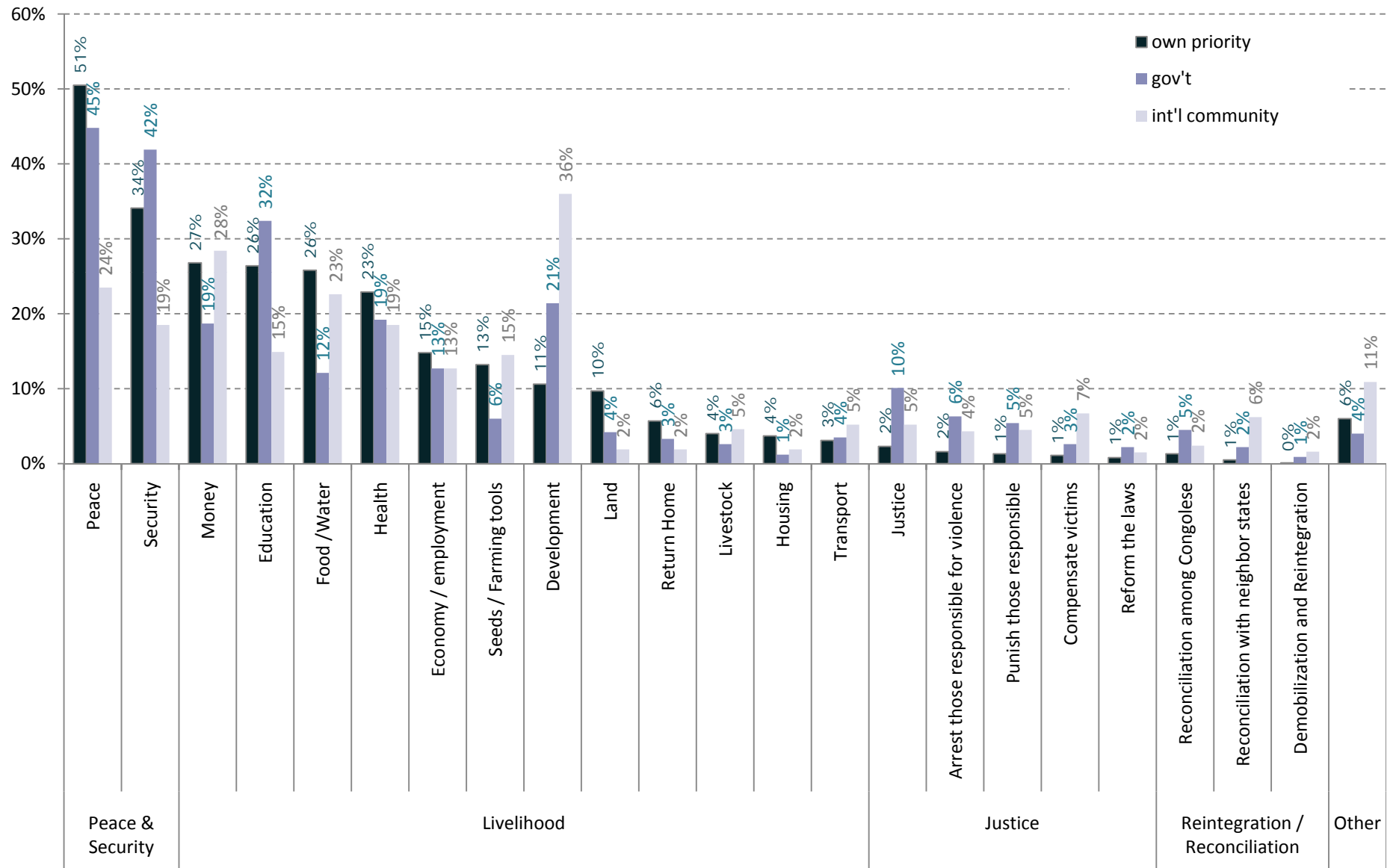
Monuc (4.2%)

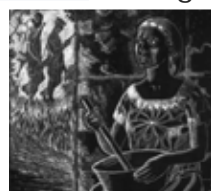
*In your opinion, who protects you?
(one answer)*

	North Kivu	South Kivu	Ituri	Total
National Congolese Army (%)	25.9	42.3	50.2	37.8
God / Jesus (%)	44.0	28.1	15.9	31.3
Police (%)	8.1	11.9	15.3	11.3
Nobody (%)	6.9	6.8	3.8	6.0
MONUC (%)	6.2	1.2	4.7	4.2
Central government, Kabila (%)	3.8	3.6	1.9	3.2
Family, friends (%)	2.1	4.8	1.4	2.7
Local government (%)	1.3	0.1	5.7	2.2
Other (%)	1.3	0.4	0.7	0.8
Militias, rebel groups (%)	0.4	0.7	0.4	0.5



PRIORITIES





PEACE

	Total
There cannot be peace	2.0
Military Defeat of militias	17.3
Kill militia leaders	6.6
Beat other groups / ethnic groups	4.2
Separate groups / ethnic groups	6.5
Grant amnesties	10.1
Arrest those responsible for crimes	27.7
Put those responsible for crimes in jail	14.9
Share political power	9.4
Integrate armies, share military power	12.8
Dialog with militias	21.8
Dialog between ethnic groups	22.4
Chase away the bad spirits	4.9
Hold new elections	2.7
Reform, change the government	6.6
Establish truth	19.9
Compensate victims	6.0
Dismiss those responsible from their jobs	3.0
Other	28.2
Don't Know	1.3



UNITY AND REINTEGRATION

<i>Percentage of respondents <u>COMFORTABLE</u> in the following situations in the presence of former combatants?</i>	North Kivu	South Kivu	<i>Ituri</i>	<i>Total</i>
Living in same community, village	26.8	44.1	63.8	42.4
Living as close neighbors	28.1	44.1	66.7	43.8
Living as household members	22.1	40.3	56.2	37.2
Sharing a meal	29.7	56.0	62.9	47.1
Working with them	33.5	54.5	68.6	49.8
Going to the market	41.4	59.2	75.5	56.4
Sharing a drink	21.6	42.3	48.1	35.4
Going to the same church	51.4	65.8	81.6	64.3
Marrying a family member	23.7	36.7	48.4	34.6
Going to same school as you/your children	44.3	61.5	78.0	59.0

- 2/3 comfortable in most situation with other Ethnic Group
- 2/3 agree all ethnic groups can live together
- only 9% say their region should become independent



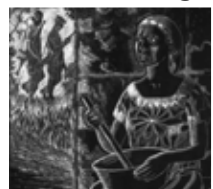
ACCOUNTABILITY

Priorities

Accountability is important

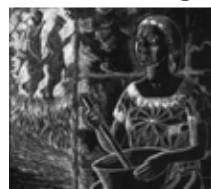
Accountability is necessary for peace

<i>What would you like to see happen to those who committed war crimes?</i>	North Kivu	South Kivu	<i>Ituri</i>	<i>Total</i>
Punish them (%)	71.0	68.5	66.5	68.9
Put them in jail (%)	33.2	32.9	35.8	33.8
See them in trials / court (%)	24.4	19.3	33.8	25.3
Kill them (%)	19.4	20.0	19.5	19.6
Have them compensate victims (%)	16.6	17.3	18.4	17.3
They should ask for forgiveness (%)	7.9	9.7	10.8	9.3
They should confess their crimes (%)	8.8	9.0	5.5	7.9
Demobilize them (%)	8.8	7.4	7.1	7.9
They should be forgiven (%)	6.1	7.0	8.7	7.1
Give them amnesty (%)	3.9	5.0	9.0	5.7
Reintegrate them in the community (%)	2.7	4.0	8.2	4.6
They should go back to their country (%)	3.3	3.1	0.7	2.5
Other (%)	2.8	2.8	1.4	2.4



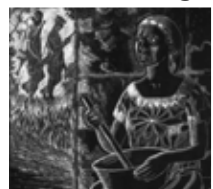
ACCOUNTABILITY

<i>Who should be held accountable?</i>	North Kivu	South Kivu	<i>Ituri</i>	<i>Total</i>
Militia leaders (%)	54.5	54.0	60.5	56.0
Militias (%)	44.7	42.9	43.8	43.9
Rwanda/ Rwandan government (%)	42.0	35.1	29.5	36.4
Uganda/ government (%)	23.0	22.2	23.6	22.9
Government in Kinshasa (%)	12.0	15.2	27.9	17.4
National Army (FARDC) (%)	12.0	14.0	12.1	12.7
The community (%)	3.4	3.8	4.0	3.7
"Those who committed violence" (%)	4.0	3.7	0.7	3.0
Police / Security agents (%)	2.4	2.3	3.0	2.6
MONUC, international community (%)	2.7	2.2	1.7	2.3
No one (%)	1.9	2.0	2.0	2.0
Ethnic group (%)	1.8	2.5	0.4	1.6
Other (%)	5.4	3.8	1.0	3.7



MEANS FOR JUSTICE

<i>What means must be used to have justice?</i>	South Kivu	North Kivu	<i>Ituri</i>	<i>Total</i>
National court system (%)	47.2	46.0	61.2	50.6
International Criminal Court (%)	22.1	23.3	33.3	25.6
Military court (%)	21.2	18.5	21.2	20.3
Truth mechanism (%)	17.2	21.0	23.7	20.2
Traditional (customary) justice (%)	12.0	13.5	22.8	15.4
Put them in jail (%)	16.1	14.8	14.1	15.1
Conflict-resolution projects (NGOs, religious organizations) (%)	16.1	15.4	10.5	14.3
Grant amnesty, forgive (%)	6.4	4.7	9.2	6.6
Dialogue, unity (%)	4.1	3.7	1.9	3.4
God (%)	3.3	2.5	3.1	3.0
No means, nothing can be done (%)	2.4	3.6	2.2	2.7
Revenge (%)	3.1	1.6	3.2	2.6
Don't know (%)	2.3	1.5	0.9	1.7
Other means for justice (%)	16.0	18.5	5.1	13.8



TRIALS

		North Kivu	South Kivu	<i>Ituri</i>	<i>Total</i>
Would you forgive war criminals if it is the only way to have peace? (% yes)		67.1	72.5	65.2	68.3
Would you forgive those who directly attacked you if it was the only way to have peace? (% yes)		67.5	70.8	64.0	67.6
2 choices	Peace with trials (%)	60.9	57.7	68.3	61.9
Or	Peace with forgiveness (%)	39.1	42.3	31.7	38.1
4 choices	National trials (%)	48.4	42.5	41.6	44.7
Or	International trials in DRC (%)	37.4	39.2	44.6	39.9
Or	International trials abroad (%)	6.1	7.3	9.0	7.3
Or	No trials (%)	8.1	8.1	4.8	8.1
Should the international community help local courts?		81.3	83.1	80.8	81.9



ICC

- 28% have heard of Lubanga Trial
- 27% have heard about ICC
- Among them 1/3 believe ICC is not neutral
- 12% knew how to access the ICC
- 67% willing to participate



TRUTH

	North Kivu	South Kivu	<i>Ituri</i>	<i>Total</i>
Is it important to know the truth about what happened in eastern ? (% yes)	87.8	88.3	88.4	88.1
<i>How can the truth be established?</i>				
Enquiry by judicial system (%)	50.6	55.3	65.1	56.1
Let people talk freely (%)	28.3	29.3	39.2	31.6
Have a truth/inquiry commission (%)	22.0	23.6	28.6	24.3
Independent, free media (%)	23.8	23.7	25.3	24.2
Write a book (%)	13.7	11.8	9.0	11.8
Dialogue, reconciliation (%)	1.4	1.1	0.6	1.1
Don't know (%)	2.2	2.0	1.2	1.9
Other (%)	10.8	11.4	4.8	9.4

- 60% willing to participate
 - Fear
 - Useless

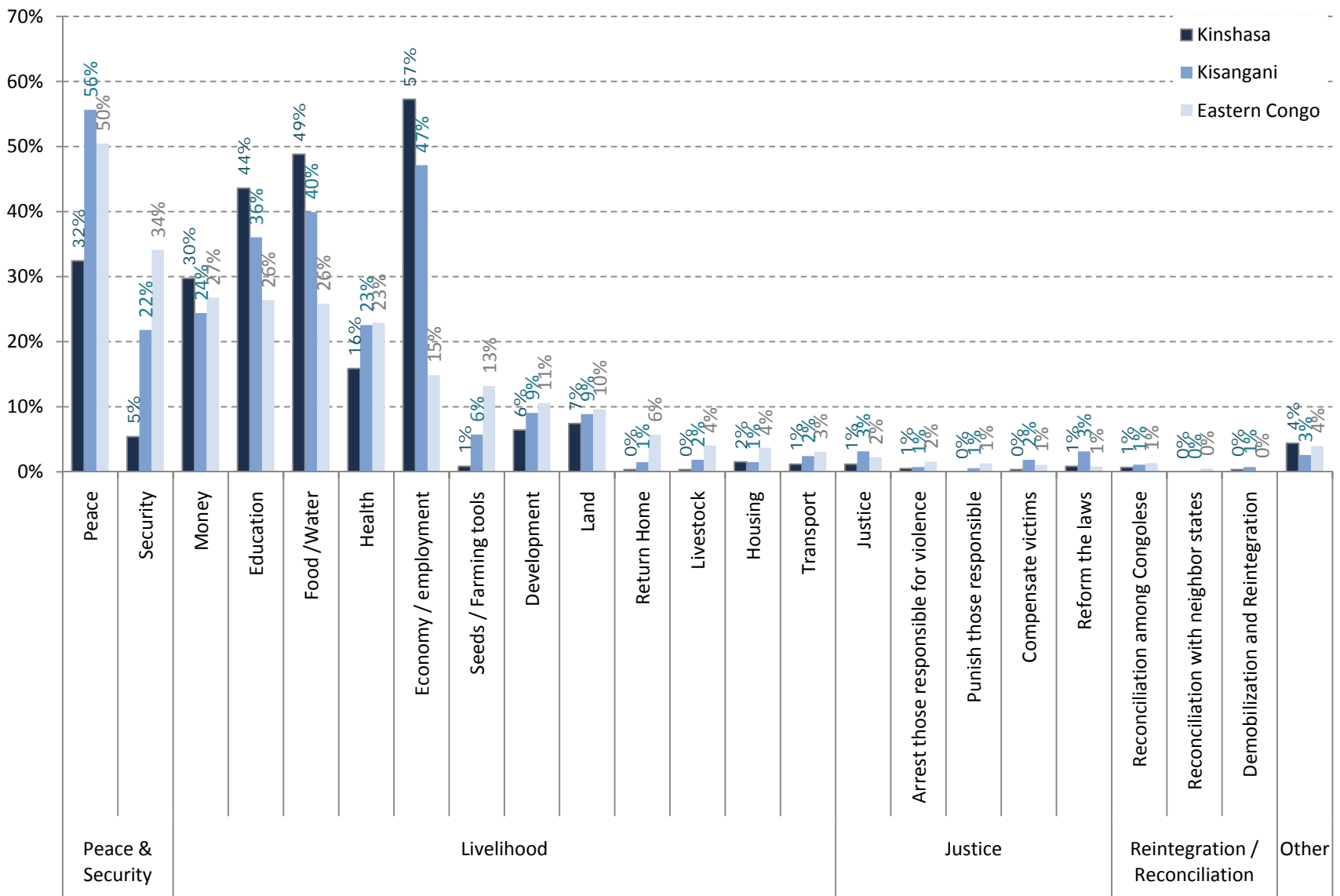
COMPARATIVE RESULTS: KINSHASA-KISANGANI

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KINSHASA - KISANGANI - EASTERN DRC





KINSHASA - KISANGANI – EASTERN DRC

Perspectives are Different

- Victimization
- More frequent support for Dialogue to achieve Peace
- More support for International Court Abroad
- More awareness about the ICC
- Truth important, more support for truth seeking commission

CONCLUSIONS AND RECOMMENDATIONS

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CONCLUSIONS

- What is in the Interests of Victims?
- Range of opinions and attitudes
- 'one size fits all' not possible, no single answer
- Consultation and ownership are key
- Multiple responses, including socio-economic development programs, psycho-social support and justice



Recommendations

- Security sector reform
- Peace v. justice debate
- Justice sector reform
- International Criminal Court



Security Vacuum

Source of Protection?

- Ituri: FARDC (50%)
- N. Kivu: God/Jesus (44%)
- Eastern DRC: MONUC (4%)

But:

- 80% believe that justice can be achieved
- 90% believe that peace can be achieved

"Peace" defined as:

- National unity and togetherness
- End of Fear
- Absence of Violence



Security Recommendations

- Extend MONUC mandate
- Security Sector Reform (SSR)
 - Must address foreign combatants
 - “Justice-sensitive” SSR
 - Census and identification
 - Vetting
 - Structural reforms to combat ongoing impunity



Peace v. Justice

- 80% believes that peace can be achieved
- 82% believes that accountability is necessary to achieve peace
- 68% would forgive war criminals if it is the only way to achieve peace
- But when given the option:
 - 62% prefers peace with trials
 - 38% prefers peace with forgiveness



Justice

Justice defined as

- Establishing the truth
- Applying the law
- Being just/far

What to do with War Criminals?

- Punishment (70%)
- Put them in jail (34%)
- Try them in court (25%)



Justice

How can justice be achieved?

- National court system (51%)
- International Criminal Court (26%)
- Military court (20%)
- Truth mechanism (20%)

Trial options for war criminals:

- National trials (45%)
- International trials in the DRC (40%)
- No trials (8%)
- International trials abroad (7%)



Justice - Recommendations

- National justice sector reform
- Strong international engagement in supporting and accompanying national justice sector reform
- Develop national capacity for war crimes prosecutions



ICC - Recommendations

- ICC must improve outreach campaign
- ICC should revisit the option of holding *in situ* trials in the DRC
- ICC focus of DRC prosecutions have disconnect with population's concerns