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**Implementing a “Zero-Tolerance” Policy:
The Failed Securitisation of Peacekeeper Sexual Violence
in the Democratic Republic of the Congo 2010-2020**

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Abstract

In peacekeeping and stabilisation missions, peacekeepers are the people who are supposed to bring safety to civilians. However in, among others, the Democratic Republic of the Congo (DRC), peacekeepers perpetrate sexual violence against the local population. How do organisations and institutions such as the United Nations (UN) and International Non-Governmental Organisations (INGOs) respond to this issue? The central question in this thesis is how and why sexual violence by UN peacekeepers in the DRC was securitised during 2010-2020. The method used is a discourse analysis, combined with a case study of INGO Human Rights Watch (HRW). This is applied to HRW's annual reports, news articles, and general reports, as well as UN sources and UN Security Council (UNSC) resolutions.

This research argues that the issue of peacekeeper sexual violence is not (yet) securitised, as opposed to sexual violence by non-peacekeepers in the DRC. Although not all peacekeepers perpetrate sexual misconduct and the UN Organisation Stabilisation Mission in the DRC (MONUSCO) is a relatively small force in comparison to other armed forces in the DRC, the discrepancy between the securitisation of the two is still out of proportion.

It is found that this difference exists due to multiple reasons. HRW does not have enough social capital in relation to the UN. However, for state actors the securitisation process stops after speech acts as well. This shows that the most significant reason is that the UNSC refuses to accept peacekeeper sexual violence in the DRC as a security threat. The UN is seen as a moral authority, and acknowledging misconduct within MONUSCO would hurt their credibility, with all its consequences. Finally, there are practical limitations of the UNSC that uphold impunity.

Keywords: Peacekeeper Sexual Violence, Securitisation, Democratic Republic of the Congo, Human Rights Watch, United Nations Security Council.

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List of Abbreviations

AI	Amnesty International
CAR	Central African Republic
DRC	Democratic Republic of the Congo
HRW	Human Rights Watch
INGO	International Non-Governmental Organisation
MONUC	United Nations Organisation Mission in the Democratic Republic of the Congo (1999-2010)
MONUSCO	United Nations Organisation Stabilisation Mission in the Democratic Republic of the Congo (2010-present)
MSF	<i>Médecins Sans Frontières</i> (Doctors Without Borders)
NGOWG	Non-Governmental Working Group on Women, Peace, and Security
UK	United Kingdom
UN	United Nations
UNSC	United Nations Security Council
WHO	World Health Organisation
WPS	Women, Peace, and Security

Introduction

Due to the changing nature in warfare the past few decades, civilians become increasingly exposed to war. This also shifted the perspective of sexual violence as a natural by-product of war, to the fact that it is now known as a weapon of warfare.¹ In the words of Olivera Simić: “these are the wars fought on and through women’s bodies - wars in which rape often becomes a part of military strategy”.²

In eastern Congo, sexual violence “is not only a weapon of war, but also an extensive social harm that goes beyond the artificial distinction between war and peace”.³ The urgency to bring the issue to the agenda is therefore high. Sexual violence has long-term physical and emotional consequences.⁴ Different organisations try to bring security to the victims of wartime sexual violence. As voiced by Megan Hazel Mackenzie: “attention to women’s and girl’s experiences would produce a more complicated understanding of women (...) and of conflict” leading to “inspire different kinds of questions and policies post-armed conflict”.⁵

During these times of conflict, often United Nations (UN) peacekeeping missions come into play. These are contested,⁶ and this research argues that, especially in the Democratic Republic of the Congo (DRC), this is rightly so. As documented by Human Rights Watch (HRW), UN peacekeepers try to keep civilians safe from fighting forces and gangs, but a small number of peacekeepers abuse the local population themselves.⁷ The victims of sexual violence are predominantly women and children, yet this is not to say that men of all ages are not

¹ Olivera Simić, ‘Chapter 1: Conflict-Related Sexual Violence and its ‘Silences’ in *Silenced Victims of Wartime Sexual Violence* (Oxon and New York, 2018), 13-39, there 13.

² Simić, ‘Chapter 1’, 13.

³ Sahla Aroussi, ‘Women, Peace, and Security and the DRC: Time to Rethink Wartime Sexual Violence as Gender-Based Violence?’, *Politics & Gender* 13 (2017) 3, 488–515, there 509, <https://www.cambridge.org/core/journals/politics-and-gender/article/women-peace-and-security-and-the-drc-time-to-rethink-wartime-sexual-violence-as-genderbased-violence/B6A089ECC93141858052D2D247C633CE>.

⁴ See for example I. Ba and R.S. Bhopal, ‘Physical, Mental and Social Consequences in Civilians Who Have Experienced War-Related Sexual Violence: A Systematic Review (1981-2014)’, *Public Health* (2017) 142, 121-135, <https://doi.org/10.1016/j.puhe.2016.07.019>.

⁵ Megan Hazel Mackenzie, ‘Chapter 5: Securitization and Desecuritization: Female Soldiers and the Reconstruction of Women’ in *Female Soldiers in Sierra Leone: Sex, Security, and Post-Conflict Development* (New York 2012), 85-97, there 97.

⁶ See for example Mats Berdal and David H. Ucko, ‘The Use of Force in UN Peacekeeping Operations: Problems and Prospects’, *The RUSI Journal* 160 (2015) 1, 6-12, <https://doi.org/10.1080/03071847.2015.1016718>.; Joel Ng, ‘Contested Norms in Peacekeeping’, *Journal of Intervention and Statebuilding*, 11 (2017) 3, 389-393, <https://doi.org/10.1080/17502977.2017.1298546>.

⁷ Report ‘The War Within the War: Sexual Violence Against Women and Girls in Eastern Congo’, Human Rights Watch (20 June 2002), <https://www.hrw.org/report/2002/06/20/war-within-war/sexual-violence-against-women-and-girls-eastern-congo>.

sexually abused.⁸ Since the war in the DRC is continuing and COVID-19 has brought the country to a low, International Non-Governmental Organisations (INGOs) such as HRW keep pushing the government to arrange some sort of punishment for these events. Impunity is a problem in the DRC. There are social obstacles and legal challenges that lead to a lack of prosecution.⁹

Research Question

This thesis deals with the following question: *How and why was sexual violence by UN peacekeepers in the DRC securitised during 2010-2020?* To answer this, the ensuing questions are dealt with. First, what is the historical background of the peacekeeping missions in the DRC and what was the role of sexual violence? And how can securitisation theory help us understand the paradox between a peacekeeper and peacekeeper sexual violence? Second, (how) did HRW make a securitisation move in the case of sexual violence by UN Organisation Stabilisation Mission in the DRC (MONUSCO) peacekeepers from 2010 until 2020? How does this compare to the UN Organisation Mission in the DRC (MONUC)? Finally, how can the discrepancy between securitisation of non-peacekeeper sexual violence and peacekeeper sexual violence be explained? What role does the UN play in this process?

This research argues that there is a difference between the securitisation of non-peacekeeper sexual violence and peacekeeper-sexual violence in the DRC. This is due to multiple reasons, such as the social capital of HRW, the amenability of peacekeeper sexual violence to securitisation, but most importantly the refusal of the UN Security Council (UNSC) – the audience – to accept peacekeeper sexual violence as an existential threat. This would hurt the credibility of the institution and negatively affect their reputation as a moral authority.

Historiography

As opposed to history, the topic of sexual violence is largely studied in the field of social sciences.¹⁰ Still, in many parts of the world there is no research on the topic of sexual

⁸ See for example Sarah K. Chynoweth, Dale Buscher, Sarah Martin, and Anthony B. Zwi, 'Characteristics and Impacts of Sexual Violence Against Men and Boys in Conflict and Displacement: A Multicountry Exploratory Study', *Journal of Interpersonal Violence* 37 (2022) 9, 7470–7501, <https://doi.org/10.1177/0886260520967132>.

⁹ Sophocles Kitharidis, 'Rape as a Weapon of War: Combating Sexual Violence and Impunity in the Democratic Republic of the Congo, and the Way Forward', *African Human Rights Law Journal* 15 (2015) 2, <http://dx.doi.org/10.17159/1996-2096/2015/v15n2a11>.

¹⁰ See for example Rosemary Gartner and Bill McCarthy, *The Oxford Handbook of Gender, Sex and Crime* (Oxford 2014).; Renée J Heberle and Victoria Grace, *Theorizing Sexual Violence* (Routledge 2009).

violence from any discipline at all.¹¹ However, *wartime* sexual violence is becoming more of an interest in the field of history and international law, and the feminist literature on peacekeeping is growing.¹² Since there is still a big gap to fill in this topic of research, the case of the DRC lends itself to contribute to the existing knowledge, and to stimulate policymakers to face this important problem. The responses to sexual violence are limited, therefore tackling the problems within these responses are often neglected. That is the point where this research comes in.

Moreover, sexual violence is usually studied when it is perpetrated by local population or leaders,¹³ and even though it is slowly becoming a known fact that UN peacekeepers also contribute to this problem by perpetration, it is not that well academically covered in recent times nor in the DRC. It is beneficial to assess whether the same mechanisms apply or whether there are other elements that usually do not play a role when perpetrated by non-peacekeepers. It is argued that the response to sexual violence should be focused on the (security) needs of the victim.

Sahla Aroussi studies the UNSC's agenda on Women, Peace and Security (WPS).¹⁴ She argues that the focus on sexual harm within gender harm in conflicts has been unprecedented during the past two decades, and argues that with the narrowing of the WPS agenda on sexual harm "has obscured the extent and multiplicity of women's suffering and led to the deprioritization of women's other needs during transition".¹⁵ Her research in the east of the DRC is valuable to this study because it contains fieldwork of 2015-2016 and many interviews as data.¹⁶

As written by Susan Dewey and Tonia St. Germain, "there is a glaring lack of accessible work on the initiatives and institutions currently tackling sexual violence as a grave issue in

¹¹ Philipp Schulz, 'Introduction' in *Male Survivors of Wartime Sexual Violence: Perspectives from Northern Uganda* (University of California Press, 2020), 1-25, there 5.

¹² See for example Caterina E. Arrabal Ward, *Wartime Sexual Violence at the International Level* (Boston, 2018).; Kerry F. Crawford, *Wartime Sexual Violence: From Silence to Condemnation of A Weapon of War* (Georgetown University Press, 2017).; Louise Olsson and Theodora-Ismene Gizelis, 'Advancing Gender and Peacekeeping Research', *International Peacekeeping* 21 (2014) 4, 520-528, <https://doi.org/10.1080/13533312.2014.946742>.

¹³ See for example Sara Meger, 'Rape of the Congo: Understanding Sexual Violence in the Conflict in the Democratic Republic of Congo', *Journal of Contemporary African Studies*, 28 (2010) 2, 119-135, <https://doi.org/10.1080/02589001003736728>.; Paul Kirby, 'How Is Rape a Weapon of War? Feminist International Relations, Modes of Critical Explanation and the Study of Wartime Sexual Violence', *European Journal of International Relations* 19 (2012) 4, 797-821, <https://doi.org/10.1177%2F1354066111427614>.

¹⁴ Aroussi, 'Women, Peace, and Security and the DRC', 489.

¹⁵ Aroussi, 'Women, Peace, and Security and the DRC', 498-490.

¹⁶ *Ibidem*, 490.

conflict and post conflict situations throughout the world”.¹⁷ They focus on local responses to the problem of wartime sexual violence. This is a good start, and the writers indeed make a compelling argument that this research deals with as well, by looking at local organisations and institutions in the securitisation process. The scope is expanded further by adding the response of an INGO.

Jasmine-Kim Westendorf assesses the violation of peace by sexual exploitations in relation to the challenges that operations face today.¹⁸ This source is used to study the role of sexual violence in peacekeeping missions. Whereas Westendorf focuses on all the challenges peace operations face, this research centres on one problem in a demarcated period and area. This is important to give an in-depth insight into the intertwining factors and problems of peacekeeping at play.

The debate that this research touches upon lays in various themes, such as rape as a weapon of war, international (humanitarian) law, and gender perspectives. Some scholars, like Aroussi, argue that it might be problematic to privilege the crime of sexual violence over other war crimes that people, and especially women, experience, because it derives attention from those other important crimes.¹⁹ These concerns are just, but by bringing a new perspective on the issue of peacekeeper sexual violence, it broadens our understanding of it and contributes to awareness and solutions.

As mentioned above, conflict-related sexual violence is increasingly acknowledged as a phenomenon within war itself. This is rightly so, because especially rape is used “as a means of attacking a victim’s identity, culture and dignity, with an aim of humiliating the female victims, the men in their families, and their entire communities”.²⁰ Combining securitisation theory with peacekeeper sexual violence in the DRC, this thesis gives insight into an underexposed problem.

There are many forms of sexual violence in the DRC, and it increases awareness to study one of those: the one perpetrated by peacekeepers. Moreover, to historicise the issue of peacekeeper sexual violence from a security studies perspective has not been fully done before for the DRC. It is a unique combination of the topics of securitisation, INGOs and sexual

¹⁷ Susan Dewey and Tonia St. Germain, ‘Introduction’ in *Conflict-related Sexual Violence: International Law, Local Responses*, (Kumarian Press 2012), there 2.

¹⁸ Jasmine-Kim Westendorf, ‘Introduction’ in *Violating Peace: Sex, Aid and Peacekeeping* (Cornell University Press 2020).

¹⁹ See for Example Nicola Henry, ‘The Fixation on Wartime Rape: Feminist Critique and International Criminal law’, *Social and Legal Studies*, 23 (2014) 1, 93-111.

²⁰ Simić, ‘Chapter 1’, 14.

violence in a historic but still relevant case. The intersectionality of the topics brings attention to previously neglected areas. The aim is that by analysing the past and issues that are still pressing, policy can and will be changed to bring security to the civilians in the DRC.

It is renewing to look at the issue of sexual violence with a securitisation perspective. It is inherently a matter of security because it leads to lasting physical and mental damage, or death.²¹ Since the field of security studies is a relatively new one, this research adds to the development of the discipline. Due to the problem of impunity, it is important to see why and how INGOs securitised the issue and whether they succeed, or what they need in order to do so. It furthermore touches upon the debate around justice and international (humanitarian) law.

Concepts and Theoretical Framework

The time demarcation of this research is based on the UN peacekeeping missions in the DRC. From 1999 to 2010, MONUC was put into play.²² Since 2010 until now (2022), it has been MONUSCO.²³ The choice for the latter one has been made because it is a pressing, ongoing issue where most reports and sources focus on. Moreover, it was in this period that the Global Summit to End Sexual Violence in Conflict took place in London, from 10 until 13 June 2014. This is an important moment to reflect on the years before and years to come in the demarcated timeframe. MONUC is drawn upon to offer context where necessary. Victims are self-defined as the people who are sexually abused by UN peacekeepers.²⁴ This includes people of all ages and genders.

Sexual violence is defined by the World Health Organisation (WHO) in 2002 as “any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting”.²⁵ In 2016, the UN Secretary-General adopted the term ‘**conflict related sexual violence**’, which refers to

rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilisation, forced marriage and any other form of sexual violence of comparable gravity perpetrated against

²¹ Ba and Bhopal ‘Physical, Mental and Social Consequences in Civilians Who Have Experienced War-Related Sexual Violence’.

²² ‘MONUC’, United Nations Peacekeeping (18 May 2009), <https://peacekeeping.un.org/mission/past/monuc/>.

²³ ‘About MONUSCO’, United Nations Peacekeeping (2022), <https://monusco.unmissions.org/en/about>.

²⁴ For information about the terminology debates around victims/survivors, see for example Janine Natalya Clark, ‘Beyond a ‘Survivor-Centred Approach’ to Conflict-Related Sexual Violence?’, *International Affairs* 97 (2021) 4, 1067–1084, <https://doi.org/10.1093/ia/iiab055>.

²⁵ Dewey and St. Germain, ‘Introduction’, 2.

women, men, girls or boys that is directly or indirectly linked (temporally, geographically or causally) to a conflict.²⁶

Although the topic of sexual violence is a sensitive one, it will be kept in mind to not make it a “pornography of violence”.²⁷ This entails that graphic stories are only used if it supports an argument, and not to benefit from the victims of this utter serious issue.

The concepts of security, INGOs, and sexual violence are used in the framework of **securitisation theory**. When talking about securitisation, “shifting an issue out of the realm of ‘normal’ political debate into the realm of emergency politics by representing it as an existential threat” is meant.²⁸ **Security** itself is seen as both “a state of being” and “a means to that end”.²⁹

This research deals with the wry security issue that the people who are supposed to bring security and peace – the peacekeepers – do not do so. Instead, they harm the civilians of a country that is largely in conflict. The paradox within this relationship is important to look into. The use of securitisation is expanded on in chapter 1.

Method

Securitisation theory does not take a threat for granted and provides insight into the processes of bringing security to combat sexual violence, so it is important to look at the steps of the securitisation process. The use of securitisation theory is implemented in the next chapters in the following way. By doing a discourse analysis of different documents of HRW, the phases of the securitisation process and their level of success or failure are assessed.

A referent object is what has to survive, because its survival is insecure due to an existential threat.³⁰ In this thesis, these are the victims of peacekeeper sexual violence, which are the civilians in the DRC. Threatened by this sexual violence, this makes that the referent subject. The prominent audience that needs to be convinced for extraordinary action is the UNSC. The securitising actor that is focused upon are INGOS, and especially HRW. These concepts will be elaborated upon in chapter 1.

²⁶ Simić, *Silenced Victims of Wartime Sexual Violence*, 1.; ‘Report of the Secretary-General on Conflict Related Sexual Violence’, United Nations (20 April 2016), para 2, <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/report/s-2016-361/SG-Annual-Report-spread-2015.pdf>.

²⁷ Schulz, ‘Introduction’, 22.

²⁸ Columba Peoples and Nick Vaughan-Williams, ‘Chapter 5: Securitization Theory’ in *Critical Security Studies: An Introduction* (London, New York 2010), 75-88, there 76.

²⁹ Lucia Zedner, ‘The Concept of Security: An Agenda for Comparative Analysis’, *Legal Studies* 1 (2003) 153, 153-176, there 155, <https://doi.org/10.1111/j.1748-121X.2003.tb00209.x>.

³⁰ Peoples and Vaughan-Williams, ‘Chapter 5’, 76.

Discourse Analysis

In the words of Christopher Lamont, discourse analysis “is a method of qualitative analysis that focuses on the interpretation of linguistic forms of communication”.³¹ In this view, IR is “constituted by actors whose identities are formed through intersubjective understanding”,³² which means that “language plays a key role in constituting the objects under study and thus plays a performative role, and their principal interest is to understand how and why particular discourses emerge, become dominant, and are used by political actors”.³³ The focus “is on understanding how language constitutes and produces the world around us”.³⁴ This means that the language used to describe a threat is of great importance.

That securitisation is a fruitful combination with discourse analysis, is among others proven by Kieran Ford in his article on security, international development, and education in North-West Pakistan.³⁵ He argues that “an emphasis on education and security blurs the uneducated and the threatening extremist, and such population of the region becomes understood to be homogeneous, threatening and uneducated”, which brings more insecurity.³⁶

Ian Paterson and Georgios Karyotis present another example of combining securitisation with discourse analysis in their recent article on (counter-)securitisation in United Kingdom (UK) migration politics.³⁷ By studying the UK migration policy from 2005 to 2015, they reveal “three distinct securitising and counter-securitising frames, all of which share identity as the key referent object”.³⁸ Paterson and Karyotis suggest that it is important to pay attention to the “intersubjective nature of security, which requires securitising actors and empowering audiences to reach a shared understanding about the presence of a threat”.³⁹ The discrepancy between these latter two - the securitising actor and the audience - is exactly what

³¹ Christopher Lamont, ‘Chapter 10: Discourse Analysis in International Relations’ in *Research Methods in International Relations* (Sage 2022), 195-208, there 198.

³² Lamont, ‘Chapter 10’, 198.

³³ *Ibidem*, 199.

³⁴ Christopher Lamont, ‘Chapter 5: Qualitative Methods in International Relations’ in *Research Methods in International Relations* (Sage 2015), 111.

³⁵ Kieran Ford, ‘The Insecurities of Weaponised Education: A Critical Discourse Analysis of the Securitised Education Discourse in North-West Pakistan’, *Conflict, Security & Development* 17 (2017) 2, 117-139, <https://doi.org/10.1080/14678802.2017.1301037>.

³⁶ Ford, ‘The Insecurities of Weaponised Education’, 133.

³⁷ Ian Paterson, and Georgios Karyotis. “‘We Are, by Nature, a Tolerant People’: Securitisation and Counter-Securitisation in UK Migration Politics’, *International Relations* 36 (2022) 1, 104–26. <https://doi.org/10.1177/0047117820967049>.

³⁸ Paterson and Karyotis, “‘We Are, by Nature, a Tolerant People’”, 106.

³⁹ Paterson and Karyotis, “‘We Are, by Nature, a Tolerant People’”, 120-121.

this thesis aims to find out about peacekeeper sexual violence in the DRC. This will entail the (lack of) understanding of the threat of peacekeeper sexual violence.

Case Study Selection

Securitisation theory is used as a lens to study the sexual violence by UN peacekeepers in the DRC. On a substantive level, HRW is a methodological choice to look at the securitisation on a case-study level. By using this illustrative case of HRW, the analytical focus as securitising actors is on them. The discourse is drawn from their yearly reports and news updates. Some reports and events are discussed in greater detail.

The definition of case studies is used as written by Lamont: “cases with purposes, or the study of a single unit or a small number of units in order to understand other similar units”.⁴⁰ The choice for HRW means that the issue is studied in-depth, instead of making broader conclusions. Case studies “can be used to illuminate particular narratives that are not visible to the quantitative researcher”.⁴¹ As explained above, the narrative plays the main role in discourse analysis.

The debate around case studies focuses on selection bias, generalisations and causal inference.⁴² This is tackled by answering the questions about what you hope to learn from your case study, and why you have selected it.⁴³ This research hopes to learn from HRW as a case to understand why and how INGOs do (not) make a securitising move regarding sexual violence by MONUSCO peacekeepers. This aligns with the objective of expanding our understanding, and therefore designing a case “around how closely your object of study relates to the phenomena you wish to understand”.⁴⁴ Secondly, HRW is selected because the sources are practically available in accessible languages, and HRW is the biggest organisation that reports on sexual misconduct by peacekeepers in the DRC.

Other organisations were intended to draw upon, such as Amnesty International (AI) and *Médecins Sans Frontières* (MSF), however neither were explicit in information on abuse by peacekeepers in the DRC. MSF focuses on the uneasy relationship between humanitarian

⁴⁰ Christopher Lamont, ‘Chapter 11: Case Study Research in International Relations’ in *Research Methods in International Relations* (Sage 2022), 209-226, there 225.

⁴¹ Lamont, ‘Chapter 5’, 149.

⁴² Lamont, ‘Chapter 5’, 150.

⁴³ *Ibidem*, 147.

⁴⁴ *Idem.*, 150.

aid organisations and military involvement.⁴⁵ As for AI, peacekeeper sexual violence is only discussed in relation to the Central African Republic (CAR).⁴⁶

HRW and Its Sources

HRW is an international organisation with twelve offices worldwide that receives steady funds.⁴⁷ Therefore, their opinion and news should be of importance to the DRC and the UN. The organisation deals with sexual violence specifically. The sources are selected on language (English or French) and on relevance to the topic.

HRW has specific blogs and reports on (wartime) sexual violence and is an active organisation in the DRC. HRW's annual reports are an important source of information. They are both accessible online and in a published form via the Utrecht University library. The years from 2010 to 2020 are available. Furthermore, in July 2009 there is a report published on soldiers who rape, including peacekeeping soldiers.⁴⁸ Moreover, there is a significant report on justice for rape cases of October 2015.⁴⁹ In the years 2010-2016, the most information on abuse by peacekeepers is accessible in HRW news updates. In previous years, such as 2002 and 2005, there are reports specifically about peacekeeper sexual violence.⁵⁰

While going through these sources, the focus lies on who the organisations identify as victims, whether they acknowledge the role of UN peacekeeping soldiers in this, what advice or suggestions they give, and to whom. So, in the words of securitisation theory: who are the securitising actors and the referent objects, what is the perceived threat and what (speech) acts

⁴⁵ 'From 'R2P' to Peacekeepers on Steroids', Médecins Sans Frontières (6 February 2014), <https://www.msf-me.org/media-centre/news-and-stories/opinion-and-debate-%E2%80%98R2P%E2%80%99-peacekeepers-steroids>;

'Promoting a Work Environment Free of Harassment, Exploitation and Abuse, Médecins Sans Frontières (12 July 2021), <https://www.msf.org/fighting-abuse-exploitation-and-harassment-our-work-environment>.

⁴⁶ See for example 'CAR: Fresh Evidence UN Peacekeepers Drugged and Raped a Young Woman', Amnesty International (11 October 2017), <https://www.amnesty.org/en/latest/news/2017/10/car-fresh-evidence-un-peacekeepers-drugged-and-raped-young-woman/>.

⁴⁷ 'Contact Us', Human Rights Watch (2022) <https://www.hrw.org/contact-us>.; 'Financials', Human Rights Watch (2022), <https://www.hrw.org/financials>.

⁴⁸ Report 'Soldiers Who Rape, Commanders Who Condone', Human Rights Watch (16 July 2019), <https://www.hrw.org/report/2009/07/16/soldiers-who-rape-commanders-who-condone/sexual-violence-and-military-reform>.

⁴⁹ Report 'Justice on Trial: Lessons from the Minova Rape Case in the Democratic Republic of Congo', Human Rights Watch (1 October 2015), <https://www.hrw.org/report/2015/10/01/justice-trial/lessons-minova-rape-case-democratic-republic-congo>.

⁵⁰ 'The War Within the War'.; Report 'Seeking Justice: The Prosecution of Sexual Violence in the Congo War', Human Rights Watch (7 March 2005), <https://www.hrw.org/report/2005/03/07/seeking-justice/prosecution-sexual-violence-congo-war>.

are performed to convince them to take extra-ordinary action? There is special attention for the framing of sexual violence by peacekeepers and for the nature of measures: preventative or remedial.

These sources are chosen because HRW is the main active INGO in the country that reports sexual abuse by UN peacekeepers. The challenges of these sources are that it is just a small part of the story. By supplementing them with each other and secondary sources, this leads to a more complete picture. The goal is to do justice to the sources that *are* available and with this complement existing narratives. Secondly, the sources are from an international organisation. They are in direct contact with the local population, but it is an organisation that speaks for the victims, and not the civilians themselves write the reports. Due to the scope and logistics of this research, using the sources that are available was the practical solution to study this topic. Finally, the reports are predominantly written on the East of the country, where most of the sexual violence took and takes place. Since other regions are also discussed, no geographical demarcations were made.

It is also important to see what discourse the UN(SC) uses itself. Since 2008, “the UN Security Council has adopted a series of new resolutions on women, peace and security that focus almost exclusively on the issue of sexual violence in armed conflicts. These are Resolutions 1820 (2009), 1888 (2009), 1960 (2010), and 2106 (2013).”⁵¹ All of them discuss acts of sexual violence, whether this is against women and children of civilians in general, and in the context of armed conflict.⁵²

Other relevant resolutions on the topic of the UNSC’s involvement in peace and security of women are 1325 (2000), 1794 (2007) and 1882 (2009). They address the themes of sexual violence in armed conflict in general, on sexual violence against civilians, but also sexual violence against women and children specifically.⁵³ For this research, the resolutions in the years 2010-2022 are assessed. If needed, the previous resolutions are added.

⁵¹ Aroussi, ‘Women, Peace, and Security and the DRC’, 489.

⁵² ‘Resolution 1820: On Acts of Sexual Violence against Civilians in Armed Conflict’, United Nations Digital Library (2008), <https://digitallibrary.un.org/record/629882?ln=en>; ‘Resolution 1888: On Acts of Sexual Violence against Women and Children in Situations of Armed Conflict’, United Nations Digital Library (2009), <https://digitallibrary.un.org/record/666430?ln=en>; ‘Resolution 1960: On Sexual Violence Against Women and Children in Situations of Armed Conflict’, United Nations Digital Library (2010), <https://digitallibrary.un.org/record/695067?ln=en>; ‘Resolution 2106: On Sexual Violence in Armed Conflict’, United Nations Digital Library (2013), <https://digitallibrary.un.org/record/751023?ln=en>.

⁵³ ‘Resolution 1325: On Women, Peace and Security’, United Nations Digital Library (2000), <https://digitallibrary.un.org/record/426075?ln=en>; ‘Resolution 1794: On Extension of the Mandate and Capacity of the UN Organization Mission in the Democratic Republic of the Congo (MONUC)’, United Nations

Structure

The thesis proceeds as follows. Chapter 1 discusses what the paradox of peacekeepers versus peacekeeper sexual violence suggests about peacekeeping and the securitisation of sexual violence. It puts forward that securitisation theory is a new and important way to understand this complex problem, because it shows where the process of securitisation is successful, fails or where it stops. It discusses the historical context of the DRC and trends of sexual violence.

Chapter 2 dives into the question whether and how INGOs – and HRW in particular – made a securitising move for peacekeeper sexual violence in the DRC, by focusing on MONUSCO, and touching upon MONUC for context. It finds that there is a huge discrepancy between the securitisation of sexual violence by non-peacekeepers and by peacekeepers.

Chapter 3 centres around explaining this difference in securitisation. It discusses the part of the UN and their role in the securitisation process. It argues that the discrepancy exists due to the relationship and social capital between HRW and the UN, and is most prominent because of the credibility of the UN. It would hurt their reputation as moral authority if they would engage in the securitisation process.

The conclusion brings the results together, reflects upon them and proposes opportunities for further research.

Many people – both in- and outside academia – are not aware of the fact that sexual violence by UN peacekeepers is something that is happening in multiple peacekeeping missions around the world. It occurs in the DRC but has also been reported in among others the CAR, Haiti, Cambodia, the former Bosnia and Herzegovina, and South Sudan.⁵⁴ In the DRC, the number of victims by both peacekeeper- and non-peacekeeper sexual violence is large, so the societal relevance is high. It is pressing that the needs and problems of victims are evaluated, particularly because of the problem of impunity.

Digital Library (2007), <https://digitallibrary.un.org/record/614752?ln=en>; ‘Resolution 1882: On Children and Armed Conflict’, United Nations Digital Library (2009), <https://digitallibrary.un.org/record/661765?ln=en>.

⁵⁴ ‘UN: Stop Sexual Abuse by Peacekeepers’, Human Rights Watch (4 March 2016), <https://www.hrw.org/news/2016/03/04/un-stop-sexual-abuse-peacekeepers>.

Chapter 1: Context, Trends of Sexual Violence and Securitisation Theory

Introduction

From 1999 to 2010, MONUC was put into play.⁵⁵ As researched by Georgia Fraulin et al.,

allegations of peacekeeper-associated SEA [sexual exploitation and abuse] by MONUC peacekeepers first arose in 2004 via a number of news reports alleging 150 cases of sexual assault, including 68 cases of rape, prostitution and paedophilia, as well as cases of torture, child pornography and the fathering of peacekeeperfathered children.⁵⁶

Since 2010 until now (2022), it has been MONUSCO.⁵⁷

As the term suggests, peacekeepers are the people who are supposed to guard, bring or keep peace in a country. In the words of the UN, peacekeeping “helps countries navigate the difficult path from conflict to peace”.⁵⁸ However, the relationship between the promise to the road to peace and the actions that serve this purpose, is paradoxical. Peacekeepers perform acts that do not contribute to peace, and in fact harm the people they should bring safety. The most relevant form of harm for this thesis is sexual abuse and -violence.

This chapter discusses what this paradox suggests about peacekeeping and the securitisation of sexual violence. It puts forward that securitisation theory is a new and important way to understand this complex problem, because it seems that the existential threat of sexual violence by peacekeepers has been named, but there are no extraordinary measures (yet). Hereby, it contributes to the development of the securitisation of sexual violence.

The use of HRW as a case study for this process in the following chapters is a unique attempt to gain more insight into the process. Discourse analysis is used to find out whether securitisation of sexual violence by peacekeepers takes place, why (not), and where it is successful or leaves room for a solution that this thesis aims to contribute to.

The hypothesis is that on the one hand, the threat of non-peacekeeper sexual violence

⁵⁵ ‘MONUC’, United Nations Peacekeeping.

⁵⁶ Georgia Fraulin, Sabine Lee, Sandrine Lusamba and Susan A. Bartels, “‘It Was with My Consent since He Was Providing Me with Money’: A Mixed Methods Study of Adolescent Perspectives on Peacekeeper-Perpetrated Sexual Exploitation and Abuse in the Democratic Republic of Congo”, *Conflict and Health* 15 (2021) 80, 1-17, there 2, <https://doi.org/10.1186/s13031-021-00414-0>.

⁵⁷ ‘About MONUSCO’.

⁵⁸ ‘What peacekeeping does’, United Nations Peacekeeping (2022), <https://peacekeeping.un.org/en>.

is framed by both INGOs and the UN, but that the measures leave room for improvement since they are not focused on prevention but on the consequences of sexual abuse. For sexual violence by peacekeepers on the other hand, the threat seems to be framed only by INGOs, but there are no specific measures in the first place. The next section introduces a short historical overview of the DRC and trends of sexual violence. It is followed by the explanation and relevance of securitisation theory.

History of the DRC and Trends of Sexual Violence

In 1885, the king of the Belgians Leopold II (1835-1909) was recognised as the sovereign of Congo Free State.⁵⁹ In the following period, “repression, murder, forced labour, racism and exploitation were intrinsic dimensions of the Belgian rule in the Congo”.⁶⁰ After gaining independence in 1960, Colonel Joseph Mobutu named the country of the current DRC ‘Zaire’ in 1965. The sudden independence was not that well prepared, because of the heavy involvement of the Belgians in the country.⁶¹ During the First Congo War (1996-1997), Mobutu lost power after invasion by Rwanda and the country was renamed ‘the Democratic Republic of the Congo’. In August 1998, the Second Congo War started and this civil war lasted officially until 2003. Since 2019, Félix Tshisekedi has been President of the country.⁶²

Although the war has officially ended, the unrest and violence has been ongoing, especially in eastern DRC.⁶³ Scholars have argued that “while sexual violence has been a known feature of armed conflict throughout history, the scale and extent of sexual violence in eastern DRC is unprecedented”.⁶⁴ Since the early 2000s, the conflicts in the east of the DRC became more and more represented by sexual violence. This formed the understanding and representation of and response to conflicts and its consequences. The number of reports increased, and the matter of sexual violence landed high on the list of international policy

⁵⁹ Guy Vanthemsche, ‘The Historiography of Belgian Colonialism in the Congo’ in Csaba Lévai (eds.) *Europe and the World in European Historiography* (Pisa University Press 2006), 89- 119, there 90.

⁶⁰ Vanthemsche, ‘The Historiography of Belgian Colonialism in the Congo’, 90.

⁶¹ *Ibidem*, 91.

⁶² Miles Larmer, ‘Neither War nor Peace in the Democratic Republic of the Congo (DRC): Profiting and Coping amid Violence and Disorder’, *Review of African Political Economy* 40 (2013) 135, 1-12, there 2, <https://academic.oup.com/isq/article/53/2/495/1858042?login=true>.

⁶³ Susan A. Bartels et al., ‘Sexual Violence Trends between 2004 and 2008 in South Kivu, Democratic Republic of Congo’, *Prehospital and Disaster Medicine* 26 (2011) 6, 408-413, there 408, <https://doi.org/10.1017/S1049023X12000179>.

⁶⁴ Bartels et al., ‘Sexual Violence Trends between 2004 and 2008 in South Kivu, Democratic Republic of Congo’, 409.

agendas.⁶⁵ In the words of Chloé Lewis: “international political momentum galvanised around sexual violence in conflict”.⁶⁶

The increased attention for conflict-related sexual violence in the DRC is represented by the increase of UN resolutions on the topic. In 2008, the UNSC adopted resolution 1820, which “recognizes sexual violence as a weapon and tactic of war”.⁶⁷ In the following year, the “Comprehensive Strategy on Combating Sexual Violence in DRC brought together a number of institutions and comprised five pillars, each jointly led by a Government Ministry and a UN entity”.⁶⁸ This development of an “institutional architecture” contributed to the framing of the conflict-related sexual violence in the DRC.⁶⁹

Studies on trends of sexual violence vary from region, gender, and year to different forms of sexual violence. It is widely acknowledged that eastern DRC is the region where most sexual violence takes place.⁷⁰ There is not a lot of complementary data available from the period 2010-2020, but there are noteworthy works from some specific years. For example, in 2008, “The United Nations Population Fund noted that 15996 new cases of sexual violence were reported in the DRC (...) and that 65% of the victims were children and adolescents younger than 18 years, with 10% of all victims younger than 10 years”.⁷¹ By studying the trends of sexual violence between 2004 and 2008, Susan A. Bartels et al. conclude that “after years of military rape in South Kivu Province, civilian adoption of sexual violence may be a growing phenomenon”.⁷²

In 2014, the European Parliament published a report on sexual violence in the DRC that stated that even though most cases of rape are not reported because of social stigmatisation, it was “estimated in 2011 that between 1.69 and 1.80 million women have been raped during

⁶⁵ Chloé Lewis, ‘The Making and Re-Making of the ‘Rape Capital of the World’: On Colonial Durabilities and the Politics of Sexual Violence Statistics in DRC’, *Critical African Studies* (13 May 2021), 1-18 there 4, <https://www.tandfonline.com/doi/full/10.1080/21681392.2021.1902831>.

⁶⁶ Lewis, ‘The Making and Re-Making of the ‘Rape Capital of the World’’, 4.

⁶⁷ ‘Security Council Resolution 1820’, Women’s International League for Peace and Freedom (2022), <https://www.peacewomen.org/SCR-1820>; Lewis, ‘The Making and Re-Making of the ‘Rape Capital of the World’’, 4.

⁶⁸ Lewis, ‘The Making and Re-Making of the ‘Rape Capital of the World’’, 5.

⁶⁹ Lewis, ‘The Making and Re-Making of the ‘Rape Capital of the World’’, 5.

⁷⁰ Susan A. Bartels et al., ‘Sexual Violence Trends between 2004 and 2008 in South Kivu, Democratic Republic of Congo’, *Prehospital and Disaster Medicine* 26 (2011) 6, 408-413, there 408, <https://doi.org/10.1017/S1049023X12000179>.

⁷¹ Amber Peterman, Tia Palermo and Caryn Bredekamp, ‘Estimates and Determinants of Sexual Violence against Women in the Democratic Republic of Congo’, *American Journal of Public Health* 101 (2011) 6, 1060-1067, there 1060, <https://dx.doi.org/10.2105%2FAJPH.2010.300070>.

⁷² Susan A. Bartels et al., ‘Sexual Violence Trends between 2004 and 2008 in South Kivu, Democratic Republic of Congo’, 408.

their lifetimes and 3.07 to 3.70 million have been abused by a partner”.⁷³ Additionally, a survey conducted in North Kivu Province in 2014 “showed that 22% of women and 10% of men were victims of sexual violence within the conflict”.⁷⁴ Justin Paluku Lussy et al. conducted research in a hospital in North Kivu “to address the lack of recent sex-disaggregated data around sexual violence patterns and sexual assault case management in eastern DRC”.⁷⁵ Combined, it becomes clear that sexual violence both happens in conflict and in non-conflict situations in the DRC, and that few remain spared. It is important to deal with statistics carefully, as is discussed under literature review.

Specifically, the sexual violence by UN peacekeepers was first reported in the early 1990s.⁷⁶ For MONUC, this started in 2004 and ended in “181 SEA [sexual abuse and exploitation] allegations between 2007 and 2010”, and MONUSCO has incurred 224 allegations between 2010 and 2021.⁷⁷ By studying the years 2010-2020, this research aims to give a more complete overview of a decade in which the numbers of sexual violence remained high, by studying what measures were (not) taken and to what extent they were successful.

Securitisation Theory

Securitisation theory will give more insight into this complex topic, by helping to fill the gap of policy and security processes. As mentioned, sexual violence in the DRC is portrayed as a serious issue, something that threatens civilians. Securitisation theory argues that issues are seen as a threat to one’s security, because they are named and socially constructed that way.⁷⁸ This is highly important to the issue of sexual violence by UN peacekeepers, because there seem to be measures on sexual violence, but not on perpetration by peacekeepers. This also has to do with the nature of the measures against sexual violence, because they are focused on the consequences of it – by providing medical care a psychological support – rather than measures focused on prevention.

Securitisation is relevant to study this discrepancy because it allows for studying why

⁷³ Marta Latek, ‘At a Glance: Sexual Violence in the Democratic Republic of Congo’, European Parliamentary Research Service (November 2014), <https://www.europarl.europa.eu/EPRS/EPRS-AaG-542155-Sexual-violence-in-DRC-FINAL.pdf>.

⁷⁴ Latek, ‘At a Glance’.

⁷⁵ Justin Paluku Lussy et al., ‘Trends in Sexual Violence Patterns and Case Management: A Sex Disaggregated Analysis in Goma, Democratic Republic of Congo’, *Conflict and Health* 15 (2021) 59, 1-9, there 2, <https://doi.org/10.1186/s13031-021-00398-x>.

⁷⁶ Fraulin et al., “‘It Was with My Consent since He Was Providing Me with Money”, 2.

⁷⁷ Fraulin et al., “‘It Was with My Consent since He Was Providing Me with Money”, 2.

⁷⁸ Dagmar Rychnovská, ‘Securitization and the Power of Threat Framing’, *Perspectives*, 22 (2014) 2, 9–31, there 11, <http://www.jstor.org/stable/24625251>.

some threats are securitised upon, and why others are not. It also takes different stages of bringing security to people into account.⁷⁹ This differs from other theories, because it does not take a threat for granted. It helps us to look at the process that precedes extraordinary measures to combat an existential threat.⁸⁰ Since impunity is a big problem in the DRC, this theory aims to contribute to a solution of the problems of both sexual violence and impunity, because this lens assists to find out where the process of securitisation fails. It is telling to see how sexual violence by peacekeepers is looked at, and who does (not) take it seriously.

Since 1945, the concept of national security was put on top of the agenda of many Western countries.⁸¹ Since the 1990s, security studies has become a subdiscipline of International Relations, as voiced by the schools of Copenhagen, Aberystwyth, and Paris.⁸² Since the Copenhagen School - represented by among others Ole Waever, Barry Buzan, and Jaap de Wilde - broadened the concept of security away from state actors, their conception of security is used here.⁸³ The broader term of 'securitisation' is drawn upon, because the concept is now evolved by other scholars and is more disconnected from the Copenhagen School.⁸⁴

In the policy and intellectual vacuum after the end of the Cold War, Critical Security Studies scholars put an effort into shifting "security thought and practice away from a singular emphasis on anarchy, sovereign states, and the balance of power".⁸⁵ The goal was to broaden, deepen, extend and focus the field.⁸⁶ Securitisation itself "describes those highly politicized processes by which the socially and politically successful speech act labels an issue a security issue, removing it from the realm of normal day-to-day politics, casting it as an existential threat calling for and justifying extreme measures".⁸⁷

This means that something has to be presented, framed, and accepted as a threat, a referent subject, in order for the audience to undertake extraordinary measures.⁸⁸ When this does not succeed, the topic does not become securitised nor will be seen as an existential threat.

⁷⁹ Peoples and Vaughan-Williams, 'Chapter 5', 75.

⁸⁰ Peoples and Vaughan-Williams, 'Chapter 5', 76.

⁸¹ Ozan Ozavci, Seminar 2. 'Introduction', Research Seminar Securing the World, Utrecht University (14 September 2021).

⁸² Michael J. Butler and Zena Wolf, 'Introduction: Revisiting Securitization and the 'Constructivist Turn' in Security Studies' in Michael J. Butler (eds.), *Securitization Revisited: Contemporary Applications and Insights*, Routledge Critical Security Studies Series (Routledge 2020), 3-21, there 9.

⁸³ Butler and Wolf, 'Introduction', 9.

⁸⁴ Peoples and Vaughan-Williams, 'Chapter 5', 75.

⁸⁵ Butler and Wolf, 'Introduction', 9.

⁸⁶ Columba Peoples and Nick Vaughan-Williams, 'Chapter 1: Critical Theory and Security' in *Critical Security Studies: An Introduction* (London, New York 2010), 17-32, there 17.

⁸⁷ Butler and Wolf, 'Introduction', 15.

⁸⁸ Peoples and Vaughan-Williams, 'Chapter 5', 76.

The presenting of a threat is usually done by a securitising “speech act: the act of ‘saying security’ in relation to an issue”.⁸⁹ It “sees language as performing roles that go beyond describing a material reality and instead sees language as playing a role in structuring action”.⁹⁰ The audience itself is the (group of) people that need to be convinced to take extraordinary actions beyond the (state’s) standard political procedures. The referent object is the protected group, so the entities that have to be secured from the threat.⁹¹ This entails that it takes an existential threat for humankind to be a security issue, and that this issue justifies political and military response.

Literature Review

The most recent writings on the history of the DRC and trends of sexual violence are from a postcolonial or feminist perspective. Among others, Lewis joins postcolonial scholars by examining how the knowledge of and information about sexual violence in the DRC is produced, with a focus on the politics of statistics.⁹² By using literature, statistical case studies and primary interviews, Lewis argues that “statistics are thus important both to re/making the imaginary of DRC as the ‘rape capital of the world,’ *and* to challenging it”.⁹³ She concludes that troublesome statistics are both accepted and expected. Lewis states that the limitation of the focus is that researchers should ensure to “not silence, dismiss, or deny the suffering existing in the knowledges we critique”.⁹⁴ While the use and politics of statistics are important as well, this thesis prioritises the issue of sexual violence itself, and the (lack of) securitisation of it.

Feminist scholars call for attention “to the sexuo-racialised assumptions underpinning and reproduced by the international security and humanitarian gazes”.⁹⁵ The regulation of and control over female nobility, sexuality and corporeality was integrated in the Belgian colonial project. These portraits and acts “reinforce ideas about the ‘third world women’ as ‘thoroughly disempowered, brutalised and victimised’”.⁹⁶ Stacy Banwell associates with this line of thought as well, by drawing “attention to inequalities and divisions between the Global North and the

⁸⁹ Peoples and Vaughan-Williams, ‘Chapter 5’, 76.

⁹⁰ Lamont, ‘Chapter 10’, 200.

⁹¹ Ozavci, ‘Introduction’.

⁹² Lewis, ‘The Making and Re-Making of the ‘Rape Capital of the World’’, 1.

⁹³ Lewis, ‘The Making and Re-Making of the ‘Rape Capital of the World’’, 14.

⁹⁴ *Ibidem.*, 14.

⁹⁵ *Idem.*, 5.

⁹⁶ *Idem.*, 5.

Global South, both past and present”.⁹⁷

Lewis argues that while these forms of research and reports on sexual violence are recent, the interest of the West in African sexuality is not. By neglecting the sexual violence by colonial powers and focusing on the violations perpetrated by the local population, it portrays “colonial violence as a native phenomenon that can only be African in Origin. Such sexuo-racialised tropes, long projected to western audiences, shape imaginaries”.⁹⁸

The arguments for a postcolonial and feminist approach are taken into account by looking out for sexuo-racialised gazes and (post)colonial assumptions. These works give great insight into the problematics of sexual violence, however the relationship with security policy is not examined.

Moving on to security, Michael J. Butler and Zena Wolf provide an overview of the revisitation of securitisation in their chapter on the constructivist turn in security studies.⁹⁹ The other chapters examine the prospects and problems of securitisation, each with a different answer. It leaves a gap for a practical interpretation of the claims made.

Diving into the relationship between sexual violence and security, Anette Bringedal Houge and Inger Skjelsbaek assess the failed securitisation process of “women’s safety and security from male intimate partner violence”.¹⁰⁰ They argue “that there are three interrelated modes of recognition that form part of the securitisation process: hyper-visibility, the construction of a hierarchy of harms and criminalisation”.¹⁰¹ This research follows their suggestion to study securitisation of (sexual) violence in a different context,¹⁰² in this case during conflict and in the DRC.

Charlotte Mertens and Maree Pardy discuss the risks that come with the recognition of sexual violence as a security threat.¹⁰³ They state that ‘Sexurity’, posited as a discursive formation is in part, we argue, the artefact of a generalised colonial imaginary that frames

⁹⁷ Stacy Banwell, ‘Chapter 2: Conflict-Related Sexual Violence in the DRC’ in *Gender and the Violence(s) of War and Armed Conflict: More Dangerous to Be a Woman?* (Emerald Publishing Limited 2020), 43-63, there 44.

⁹⁸ Lewis, ‘The Making and Re-Making of the ‘Rape Capital of the World’’, 11.

⁹⁹ Butler and Wolf, ‘Introduction’.

¹⁰⁰ Anette Bringedal Houge and Inger Skjelsbaek, ‘Chapter 1: Securitising Sexual Violence: Transitions from War to Peace’, in *Intimate Partner Violence, Risk and Security: Securing Women’s Lives in a Global World* (Routledge 2018), 19-33, there 19.

¹⁰¹ Bringedal Houge and Skjelsbaek, ‘Chapter 1’, 19.

¹⁰² Bringedal Houge and Skjelsbaek, ‘Chapter 1’, 29.

¹⁰³ Charlotte Mertens and Maree Pardy, ‘‘Sexurity’ and its effects in eastern Democratic Republic of Congo’, *Third World Quarterly* 38 (2017) 4, 956-979, there 957,

<https://www.tandfonline.com/doi/full/10.1080/01436597.2016.1191341>.

contemporary global responses to sexual violence in war”.¹⁰⁴ It is relevant to see how this works in relation to peacekeeper sexual violence.

Combining securitisation with narratives around sexual violence, Natalie Florea Hudson and Alexandra Cosima Budabin argue “that rather than being solely the purview of state-centric actors, security discourses can be effectively adopted by new actors and audiences in ways that count as securitizing moves”.¹⁰⁵ By focusing on non-state actors such as celebrities, activists, and advocacy organisations, Hudson and Budabin illustrate that such actors can in fact put pressure on and influence official security actors.¹⁰⁶ Additionally, this thesis looks at the ultimate impact of security policies, and it considers non-state actors as securitising actors themselves. In this way, it “pushes us to look more deeply at who the securitizing actors are and how they tend to operate”.¹⁰⁷

Dagmar Rychnovská also takes non-state actors into account as a securitising actor. She argues that “in narrow and discursively-oriented social environments, such as the United Nations (UN) Security Council” that:

the construction of threats in such an environment is best understood as strategically negotiated and highly context-dependent, given the structure of the power relations among the actors and the weight of the institutional, cultural and linguistic context in which these actors operate.¹⁰⁸

In line with Rychnovská, it is here argued that there is value to study securitisation in the UNSC. It firstly can function as a securitising or functional actor, and secondly gives the Council meaning and legitimation to the meaning of security, since it has a big role in the interpretation - and therefore framing - of threats.¹⁰⁹ This thesis follows the suggestion of Rychnovská to pay more attention to securitisation research on the UNSC.¹¹⁰ As explained under ‘method’, the securitisation in the UNSC has “a great potential for ‘translating’ and substantially changing the discourse on security”.¹¹¹ The interpretation of threats by the UNSC

¹⁰⁴ Mertens and Pardy, “Sexurity”, 957.

¹⁰⁵ Natalie Florea Hudson and Alexandra Cosima Budabin, ‘Chapter 4: When Advocacy Securitizes: Non-State Actors and the Circulation of Narratives Around Sexualized Violence in Conflict’ in Michael J. Butler (eds.), *Securitization Revisited: Contemporary Applications and Insights*, Routledge Critical Security Studies Series (Routledge 2020), 91- 115, there 92.

¹⁰⁶ Hudson and Budabin, ‘Chapter 4’, 91.

¹⁰⁷ Ibidem, 108.

¹⁰⁸ Rychnovská, ‘Securitization and the Power of Threat Framing’, 9, emphasis in original.

¹⁰⁹ Rychnovská, ‘Securitization and the Power of Threat Framing’, 12.

¹¹⁰ Ibidem, 26.

¹¹¹ Butler and Wolf, ‘Introduction’.

is relevant to this research because the UNSC is the audience of the securitisation move by HRW.

Although being a useful lens to study the topic, securitisation theory comes with its limitations that different scholars have written about. Firstly, it is a field of study that is based on western societies and experiences. This is mostly voiced by critical race- and postcolonial theory.¹¹² It leads to the fact that “overwhelming Eurocentric orientation is directly responsible for a number of ‘blind spots’ in the field”.¹¹³ Secondly, the original line of thought was focused on state security, and military threat.¹¹⁴ By broadening the scope and focusing on non-state actors and people who are threatened, this limitation is challenged more and more.¹¹⁵ Related to this, feminist scholars have drawn attention upon the absence of gender.¹¹⁶ Gender-based violence is important to analyse, especially when looking at gendered dimensions that go back to colonial practices.¹¹⁷

Still, since sexual violence is inherently a security issue and poses an existential threat to many Congolese civilians, securitisation theory is viewed as a useful lens to study the topic. The field is still in development, and by taking in mind the limitations, the aim is to contribute to a less limited theory. By taking gender and race specifically into account, it aims to prevent a Eurocentric narrative.

In sum, securitisation theory is helpful for this case because by focusing only on the consequences of sexual violence is an indication that peacekeeper sexual violence is not securitised. Securitisation is helpful to see what is securitised successfully, but also what is *not* securitised and why that is. This research is a unique combination of going beyond a theory

¹¹² Butler and Wolf, ‘Introduction’, 11.; See for example Pinar Bilgin, ‘The ‘Western-Centrism’ of Security Studies: ‘Blind Spot’ or Constitutive Practice?’, *Security Dialogue* 41 (2010), 615-622, <https://www.jstor.org/stable/26301701>.; Alison Howell and Melanie Richter-Montpetit, ‘Is Securitisation theory racist? Civilisationism, methodological whiteness, and anti-Black thought in the Copenhagen School’, *Security Dialogue* 5 (2020) 1, 3-22. <https://doi.org/10.1177%2F0967010619862921>.; Sarah Bertrand, ‘Can the Subaltern Securitize? Postcolonial Perspectives on Securitization Theory and its Critics’, *European Journal of International Studies* 3 (2018) 3 (2018), 281-299. <https://doi.org/10.1017/eis.2018.3>.

¹¹³ Butler and Wolf, ‘Introduction’, 11.

¹¹⁴ See for example Neil A. Englehart, ‘Non-state Armed Groups as a Threat to Global Security: What Threat, Whose Security?’, *Journal of Global Security Studies* 1 (2016) 2, 171-183, <https://doi.org/10.1093/jogss/ogw003>.

¹¹⁵ See for example Scott Watson, ‘The ‘Human’ as Referent Object?: Humanitarianism as Securitization’, *Security Dialogue* 42 (2011) 1, 3-20, <https://doi.org/10.1177/0967010610393549>.

¹¹⁶ See for example Lene Hansen, ‘The Little Mermaid’s Silent Security Dilemma and the Absence of Gender in the Copenhagen School’, *Millennium: Journal of International Studies* 29 (June 2000) 2, 285– 306. <https://doi.org/10.1177/03058298000290020501>.; E. Ann. Kaplan, ‘Chapter 3: The Western Imperial Gaze and Colonial Tropes’, 61-73, in *Looking at the Other: Feminism, Fame and the Imperial Gaze* (Routledge 1997).

¹¹⁷ Lewis, ‘The Making and Re-Making of the ‘Rape Capital of the World’’, 11.

and looking at the impact of policy itself, by using securitisation theory as a tool to break up the process. How is a threat framed when peacekeepers are the aggressor, and how does this differ from sexual violence committed by civilians, also taking (post)colonial perspectives into account? The DRC has not been approached from this angle. It is particularly helpful for this country because (peacekeeper) sexual violence is a continuing issue, so it is beneficial to study the policy process.

Conclusion

By using securitisation, the paradox between being a peacekeeper who has to guard civilians, but in practice can pose an existential threat, is assessed. This is a helpful theory because the threat of sexual violence by peacekeepers in the DRC has been framed and came to light, but there do not seem to be specific extraordinary measures. The measures that are put into play by for example the UN Resolutions focused on non-peacekeeper sexual abuse also seem to have a limited effect. This is proven by the trends of sexual violence between 2010 and 2020, that still shows many victims. This is partly due to the nature of those measures: they are focused on the consequences of sexual violence (by providing for example medical care and psychological support) rather than measures focused on prevention.

Furthermore, even though in both the fields of sexual violence, securitisation, and those combined there have been great contributions to this fields of scholarship, this thesis poses a unique combination of the two, in aiming to find out why the securitisation process is not completed, and how to change this. The use of HRW as a case study lends itself as a helpful tool to gain insight into the securitisation process, by doing a discourse analysis. This will lead to the answer whether securitisation of sexual violence by peacekeepers takes place, why (not), and where this contribution can come in on a policy level.

Already encountering some difference between peacekeeper and non-peacekeeper sexual violence here, the next chapter researches whether this difference exists and what it consists of. With 181 allegations of sexual violence for MONUC between 2007-2010, and 224 allegations for MONUSCO between 2010-2021,¹¹⁸ it is time to prioritise the issue of sexual violence itself, and the (lack of) securitisation of it.

¹¹⁸ Fraulin et al., “It Was with My Consent since He Was Providing Me with Money”, 2.

Chapter 2: The Discrepancy between the Securitisation of Sexual Violence by Non-Peacekeepers and by Peacekeepers

Introduction

The paradox of a peacekeeping mission, a neutral force who should bring safety to civilians, and the misconduct within MONUSCO is a captivating one. This is emphasised by Skye Wheeler, who in January 2020² wrote: “For decades, desperate civilians have sought UN peacekeepers to alleviate some of the worst horrors of our times. Survivors of violence, displacement and poverty shouldn’t have to fear that those charged with protecting them will contribute to their suffering.”¹¹⁹ This means that Wheeler pushes for peacekeepers to bring safety to civilians, instead of additionally harming them.

Acknowledging that sexual abuse and exploitation was also reported in the UN troops in the DRC, it is interesting to see whether, how, and why (not) this suggestion has been translated into policy. What does it say about the possibility for topics of securitisation, and who can securitise? This chapter dives into the question whether and how INGOs made a securitisation move in the case of sexual violence by MONUSCO peacekeepers from 2010 until 2020. To provide more context, MONUC is also touched upon.

In order to do so, the annual world reports of HRW from 2011 to 2021 are examined, since each report discusses the events of the previous years. The reports are accessible online and written in English, but they are also available in other languages. General reports and news articles are used additionally. By doing a discourse analysis and looking at the naming, framing, and presentation of the threat, it is argued that there is a significant discrepancy between the securitisation of sexual violence perpetrated by MONUSCO peacekeepers, and by non-peacekeeping forces.

This chapter explores this gap by respectively assessing the securitisation of non-peacekeeper sexual violence, and peacekeeper sexual violence in the DRC. By focusing on the (absent) securitisation move by INGOs, the analysis mirrors the process of securitisation theory. The role of the UN and the explanation for their level of implementation are discussed in chapter 3.

¹¹⁹ Skye Wheeler, ‘UN Peacekeeping has a Sexual Abuse Problem’, Human Rights Watch (11 January 2020), <https://www.hrw.org/news/2020/01/11/un-peacekeeping-has-sexual-abuse-problem>.

HRW and Sexual Violence by Non-Peacekeepers

This section deals with the trends and securitisation of sexual violence by non-peacekeepers in the DRC, so other armed forces. To firstly assess the level of securitisation of non-peacekeeper sexual violence, it discusses the policy around non-peacekeeper sexual violence. The focus lies on the WPS Agenda of the UNSC, as well as their resolutions. To illustrate the increase of public attention as articulated in the introduction, the Global Summit to End Sexual Violence in Conflict is discussed.

HRW Reports of 2010-2020

This section discusses the HRW reports chronologically to find out what is written about sexual misconduct by other armed forces in the DRC and whether and how it was securitised. It focuses on the timespan of MONUSCO.

The report of 2011 states that “over 15.000 cases of sexual violence were reported in 2009. In 2010 there were no signs that the trend was decreasing”.¹²⁰ In the 2012 report, HRW elaborates on the actors, being the Congolese army that operated against the Democratic Forces for the Liberation of Rwanda (FDLR), the Allied Democratic Forces (ADF), and the Lord’s Resistance Army (LRA).¹²¹ It elaborates that “government soldiers frequently killed and raped civilians and pressed them into forced labor or looted their belongings”.¹²² Besides government soldiers, there is attention paid to the rapes by FDLR combatants and the number of rapes is zoomed in on.¹²³ By naming the specific forces that conduct sexual violence, it is made into a security issue, following the formula “*Existential Threat to a Referent Object = A Security Issue*”.¹²⁴ The sexual violence by mentioned actors is presented as a threat to the referent object, the civilians.

In the 2013 report, a new section is devoted to M23, a “rebel group” that “received significant support from Rwandan military officials”.¹²⁵ Their responsibility for “widespread war crimes, including (...) rapes” and “mass rapes” is repeated thrice.¹²⁶ Another section

¹²⁰ ‘Democratic Republic of Congo’, *World Report 2011: Events of 2010*, Human Rights Watch (2022), there 107, https://www.hrw.org/sites/default/files/related_material/wr2011_book_complete.pdf.

¹²¹ ‘Democratic Republic of Congo’, *World Report 2012: Events of 2011*, Human Rights Watch (2022), there 105, <https://www.hrw.org/sites/default/files/reports/wr2012.pdf>.

¹²² ‘Democratic Republic of Congo’, *World Report 2012*, 105.

¹²³ *Ibidem*, 106.

¹²⁴ Peoples and Vaughan-Williams, ‘Chapter 5’, 75, emphasis in original.

¹²⁵ ‘Democratic Republic of Congo’, *World Report 2013: Events of 2012*, Human Rights Watch (2022), there 96, https://www.hrw.org/sites/default/files/wr2013_web.pdf.

¹²⁶ ‘Democratic Republic of Congo’, *World Report 2013*, 96-97.

considers the attacks on civilians by the FDLR and the “Congolese armed group Raia Mutomboki (meaning “outraged citizens” in Swahili)”.¹²⁷ A separate part discusses the “abuses by the Lord’s Resistance Army”.¹²⁸ Again, security is said and the threat is framed as “rebel” and “outraged”.

In the report of 2014, HRW states that “Congolese security forces and non-state armed groups” conducted “serious abuses against civilians”.¹²⁹ The rapes by M23 are touched upon again, and “as the military focused attention on defeating the M23, many other armed groups also attacked civilians”.¹³⁰ The case of Minova is highlighted: “When government soldiers fled the M23’s advance on the eastern city of Goma in late November 2012, they went on a rampage and raped at least 76 women and girls in and around the town of Minova, South Kivu”.¹³¹ Another section devotes to “attacks on civilians by other armed groups”, in which “numerous other armed groups have carried out horrific attacks on civilians in eastern Congo”.¹³²

Here the threat is presented clearly again by HRW: rapes and attacks by Congolese armed groups. It is noteworthy that when non-peacekeepers commit crimes they are “on a rampage”, “horrific” and “serious”, implicating that it is a more serious or horrific crime.

It goes on in the 2015 report that “numerous armed groups remain active and their fighters continue to carry out brutal attacks on civilians. Government security forces also committed serious abuses against civilians”.¹³³ Elaborating, in two months’ time Congolese army “soldiers raped at least 41 women and girls”.¹³⁴ In regards to other armed forces, “Mai Sheka fighters (...) killed, mutilated, and raped civilians in North Kivu”.¹³⁵ By focusing on these abuses, they are clearly presented as a security threat for the civilians. By using words like

“brutal”, and explicitly stating what forms of abuse or perpetrator, it gives force to the threat.

In the 2016 report, HRW states that “many commanders controlled forces responsible for war crimes, including ethnic massacres, killing of civilians, rape, forced recruitment of

¹²⁷ ‘Democratic Republic of Congo’, *World Report 2013*, 98.

¹²⁸ ‘Democratic Republic of Congo’, *World Report 2013*, 100.

¹²⁹ ‘Democratic Republic of Congo’, *World Report 2014: Events of 2013*, Human Rights Watch (2022), there 103, https://www.hrw.org/sites/default/files/wr2014_web_0.pdf.

¹³⁰ ‘Democratic Republic of Congo’, *World Report 2014*, 103.

¹³¹ *Ibidem*, 103.

¹³² *Idem.*, 104.

¹³³ ‘Democratic Republic of Congo’, *World Report 2015: Events of 2014*, Human Rights Watch (2022), there 187, https://www.hrw.org/sites/default/files/world_report_download/wr2015_web.pdf.

¹³⁴ ‘Democratic Republic of Congo’, *World Report 2015*, 187.

¹³⁵ *Ibidem*, 189.

children, and pillage”.¹³⁶ The same passage is repeated in the 2017 report.¹³⁷ In 2015, “the Patriotic Resistance Front in Ituri (FRPI) rebel group also committed serious human rights abuses, particularly rape and pillage”.¹³⁸ Once again, these are labelled as “serious” abuses.

Moving on to the 2018 report, there is an extensive list of armed groups and government forces that remained active in particularly North Kivu and South Kivu: “the Democratic Forces for the Liberation of Rwanda (FDLR) and allied Nyatura groups, the Allied Democratic Forces (ADF), Nduma Defense of Congo-Renové (NDC-R), the Mazembe, Charles, and Yakutumba Mai groups, and several Burundian armed groups”.¹³⁹ These are more or less the same as in the 2020 report, but extending to “more than 130 armed groups”.¹⁴⁰ The number of threats seems to be only increasing, which strengthens the urgency and makes this matter a priority.¹⁴¹

In the report of 2019, HRW focuses on the Ituri province in north-eastern Congo, “here armed groups launched deadly attacks on villages, killing scores of civilians, raping or mutilating many others, torching hundreds of homes, and displacing an estimated 350,000 people”.¹⁴² In the 2021 report, the groups of 2019 and 2020 are combined, and “in many instances, armed assailants were responsible for sexual violence against women and girls”.¹⁴³

By presenting threats and “saying security”,¹⁴⁴ HRW makes a securitising move and attempts to securitise sexual violence by non-peacekeeping forces. They call for extra funding and support, and the headers “justice and accountability” call for the change of the Congolese justice system only.¹⁴⁵ Moreover, the headers “abuses by security forces” and “other armed forces” are telling: it is *separately* presented, framed as a threat and attempted to securitise. As previously mentioned, it is striking that when writing about non-peacekeeper sexual violence, abuses become “serious” and “horrific”, as if sexual abuse is not serious and horrific in itself.

¹³⁶ ‘Democratic Republic of Congo’, *World Report 2016: Events of 2015*, Human Rights Watch (2022), there 210, https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf.

¹³⁷ ‘Democratic Republic of Congo’, *World Report 2017: Events of 2016*, Human Rights Watch (2022), there 221, https://www.hrw.org/sites/default/files/world_report_download/wr2017-web.pdf.

¹³⁸ ‘Democratic Republic of Congo’, *World Report 2016*, 210.

¹³⁹ ‘Democratic Republic of Congo’, *World Report 2018: Events of 2017*, Human Rights Watch (2022), there 175, <https://www.hrw.org/world-report/2018>.

¹⁴⁰ ‘Democratic Republic of Congo’, *World Report 2020: Events of 2019*, Human Rights Watch (2022), there 165, https://www.hrw.org/sites/default/files/world_report_download/hrw_world_report_2020_0.pdf.

¹⁴¹ Peoples and Vaughan-Williams, ‘Chapter 5’, 76.

¹⁴² ‘Democratic Republic of Congo’, *World Report 2019: Events of 2018*, Human Rights Watch (2022), there 172, https://www.hrw.org/sites/default/files/world_report_download/hrw_world_report_2019.pdf.

¹⁴³ ‘Democratic Republic of Congo’, *World Report 2021: Events of 2020*, Human Rights Watch (2022), there 194, https://www.hrw.org/sites/default/files/media_2021/01/2021_hrw_world_report.pdf.

¹⁴⁴ Peoples and Vaughan-Williams, ‘Chapter 5’, 76.

¹⁴⁵ ‘Democratic Republic of Congo’, *World Reports 2011 up to 2021* (Human Rights Watch 2022).

This shows that HRW makes a securitising move for the threat of non-peacekeeper sexual violence. Following on from the speech act, it is important to see how the UN says security in relation to non-peacekeeper sexual violence.

The WPS Agenda and UNSC Resolutions

To further our understanding of the securitisation of non-peacekeeper sexual violence, the WPS Agenda and related UNSC Resolutions are drawn upon. This demonstrates how the process from speech act to extraordinary measures – in the UN policy – works. The WPS Agenda was established with UNSC Resolution 1325 in 2000, to increase the number of women in formal peace-making processes.¹⁴⁶ Furthermore, “they guide work to promote and protect the rights of women in conflict and post-conflict situations”.¹⁴⁷ From 2000 until 2019, there have been ten resolutions adopted.¹⁴⁸ All resolutions are focused on the role of women in conflict. This section zooms in on Resolution 2409 because it specifically focuses on the DRC and is a good example of “WPS integration in the UNSC work”.¹⁴⁹

Resolution 2409 (2018)

Specifically focused on the DRC, Resolution 2409 praises the progress achieved by the cooperation of MONUSCO with the Congolese government “to implement the action plans to prevent and end the recruitment and use of children and sexual violence by the FARC, and to combat impunity for sexual violence in conflict, including sexual violence committed by the FARDC and the PNC”.¹⁵⁰ It is striking that MONUSCO ‘helps’ Congolese troops to end sexual violence, but does not focus on its own soldiers. This shows that non-peacekeepers are the point of focus.

Furthermore, the UNSC welcomes MONUSCO’s efforts “in delivering training in human rights (...) and protection from sexual and gender-based violence for Congolese security

¹⁴⁶ ‘Women, Peace and Security’, Political and Peacebuilding Affairs (2022), <https://dppa.un.org/en/women-peace-and-security>.

¹⁴⁷ ‘About Women, Peace and Security in the Security Council’, Women’s International League for Peace and Freedom (2022), <https://www.peacewomen.org/security-council/WPS-in-SC-Council>.

¹⁴⁸ ‘About Women, Peace and Security in the Security Council’.

¹⁴⁹ Ibidem.

¹⁵⁰ ‘Resolution 2409: On Extension of the Mandate of the UN Organization Stabilization Mission in the Democratic Republic of the CONGO (MONUSCO) until 31 Mar. 2019’, United Nations Digital Library (2018), there 4, <https://digitallibrary.un.org/record/1479011?ln=en>.

institutions”.¹⁵¹ In line with the securitisation and implementation discrepancy, it is notable that this is once again focused on Congolese institutions, which suggests that the security threats are Congolese institutions and individuals.

When talking about MONUSCO itself, the Council firstly praises the reduction of reported cases, due to various measures, but also expresses concern over numerous allegations and stresses the need to investigate them.¹⁵² It recalls the importance of training and equipment, and therefore encourages member states to donate resources.¹⁵³ It is repeated over and over again that the “protection of civilians” must always be given priority.¹⁵⁴ Focusing on investigations suggests that peacekeeper sexual violence is not immediately acknowledged as a threat.

Under the header “Gender, Sexual Violence, Sexual Exploitation and Abuse” the UNSC “*requests* MONUSCO to take fully into account gender considerations as a crosscutting issue throughout its mandate”.¹⁵⁵ They further call for:

the Secretary-General to take the necessary measures to ensure full compliance of all personnel in MONUSCO with the United Nations zero - tolerance policy on sexual exploitation and abuse and to keep the Council fully informed through his reports to the Council about the Mission’s progress in this regard.¹⁵⁶

This shows that the focus of the UNSC lies on non-peacekeeper sexual violence, with an assisting role for peacekeepers to fight this. Within the mission, the protection of civilians should be given priority. By saying security and making resolutions, both HRW and the UNSC make a securitising move for non-peacekeeper sexual violence.

HRW and Sexual Violence by UN Peacekeepers

To show the difference in response to sexual violence per actor, this section deals with the trend of sexual violence by peacekeepers in the DRC, to see when it started and how the securitisation process has been functioning ever since.

¹⁵¹ ‘Resolution 2409’, 4.

¹⁵² ‘Resolution 2409’, 4-5.

¹⁵³ *Ibidem*, 5.

¹⁵⁴ *Idem.*, 10.

¹⁵⁵ *Idem.*, 14, emphasis in original.

¹⁵⁶ *Idem.*, 14

Shift of Focus

On 1 March 2005, Anneke van Woudenberg held a testimony on behalf of HRW at the US House Committee on International Relations in which she acknowledged sexual violence by MONUC peacekeepers.¹⁵⁷ However, she quickly shifted her focus to the non-peacekeeping forces: “far more women and girls have suffered rape at the hands of armed groups and armies on all sides in the DRC”.¹⁵⁸ Van Woudenberg labelled this as “the real tragedy of Congo and one which rarely grabs the headlines”.¹⁵⁹ It is striking to read the same crime perpetrated by different categories of actors, in which non-peacekeeper sexual violence is labelled as the *real* tragedy. The same goes for peacekeepers who “commit sexual crimes”, versus “armed groups who continue to *terrorize* them [Congolese women]”.¹⁶⁰ This shows a difference in framing, when talking about exactly the same acts.

It is undoubtedly important that all forms of sexual violence are securitised, and it is true that peacekeepers are a minority compared to other armed forces in the DRC. However, this should not make peacekeeper sexual violence a lesser crime nor priority. As of 2000, MONUC consisted of 5,537 troops and 500 military observers, and until 2007 this increased to 22,016 total uniformed personnel.¹⁶¹ This is still a substantial number of people that can perform sexual misconduct.

Attempting to tackle this critique, Van Woudenberg continued:

Some have claimed that providing more funds and resources to MONUC at a time when a number of its troops stand accused of sexual abuse is wrong. Human Rights Watch strongly disagrees. We believe the U.N. needs to take urgent action to deal with those accused of sexual abuses, but it is important that this issue does not overshadow the important role that MONUC must play in helping to bring about peace in the DRC through a process of democratic elections.¹⁶²

She went even further and stated that “MONUC’s role is vital to the Congolese peace process. It needs to be strengthened and supported by the U.S. government and the international

¹⁵⁷ ‘MONUC: A Case for Peacekeeping Reform’, Human Rights Watch (28 February 2005), <https://www.hrw.org/news/2005/02/28/monuc-case-peacekeeping-reform>.

¹⁵⁸ ‘MONUC’, Human Rights Watch.

¹⁵⁹ Ibidem.

¹⁶⁰ Idem., emphasis added.

¹⁶¹ ‘MONUC Facts and Figures’, United Nations MONUC, <https://peacekeeping.un.org/mission/past/monuc/facts.shtml>.

¹⁶² ‘MONUC’, Human Rights Watch.

community in order for it to carry out its role”.¹⁶³ By framing the positive contribution of MONUC, HRW tried to gain more support for the mission. Following the research of Westendorf, there is a “pressure to report on successes” in order to continue funding, and to hide the UN’s limited capacity to counter sexual violence.¹⁶⁴

This testimony adds to the securitisation move of non-peacekeeper sexual violence, because Van Woudenberg tried to move “a particular development into a specific area, and thereby claims a special right to whatever means are necessary to block it”.¹⁶⁵ It shows the “effects that characterise the specific quality of security problems: urgency - the issues takes priority; and extraordinary measures - authorities claim powers that they would not otherwise have”.¹⁶⁶ The urgency part is visible in the hierarchy of threats: Van Woudenberg prioritised non-peacekeeper abuses over peacekeeper abuses. Secondly, she suggested extraordinary measures by asking the US government to strengthen the mission.

This statement was in 2005 and the line of reasoning is not encountered again. However, it is interesting that a HRW employee immediately shifted to the importance of sexual violence by non-peacekeepers, while this was at the time that the abuses by MONUC soldiers only recently came to (public) light. The next section deals with how HRW notifies peacekeeper sexual violence.

MONUC

MONUC was established in 1999.¹⁶⁷ As early as December 2001, “a Congolese woman reportedly delivered an eleven-year-old girl to a Moroccan soldier of the MONUC Peacekeeping force based in Goma who then assaulted the child sexually”.¹⁶⁸ The soldier then remained at this post, but “the U.N. Department of Peacekeeping Operations has told Human Rights Watch that several internal investigations are currently under way, and has confirmed that the soldier remains in the mission area while these are going on”.¹⁶⁹ The UN announced a “zero-tolerance policy”¹⁷⁰ regarding peacekeeper sexual violence, but HRW reported again in 2005 that some MONUC peacekeepers committed crimes of sexual violence and sexual

¹⁶³ ‘MONUC’, Human Rights Watch.

¹⁶⁴ Jasmine-Kim Westendorf, ‘Chapter 4: Legitimacy in Crisis: the Impacts of Sexual Misconduct on Capacity and Credibility’ in *Violating Peace: Sex, Aid, and Peacekeeping* (Cornell University Press 2020), there 67.

¹⁶⁵ Peoples and Vaughan-Williams, ‘Chapter 5’, 77.

¹⁶⁶ Peoples and Vaughan-Williams, ‘Chapter 5’, 77.

¹⁶⁷ ‘MONUC’, United Nations Peacekeeping (2022), <https://peacekeeping.un.org/mission/past/monuc/>.

¹⁶⁸ ‘The War Within the War’.

¹⁶⁹ ‘The War Within the War’.

¹⁷⁰ Ibidem.

exploitation of women and girls.¹⁷¹

These sexual abuses were firstly reported in mid-2004 and condemned by the UN Secretary-General in January 2005.¹⁷² By interviewing victims, HRW

has found that MONUC peacekeepers from different military contingents as well as civilian staff have sexually exploited Congolese women and girls who were in desperate need of food, money or other items. In some cases MONUC staff have also sexually assaulted or raped women and girls.¹⁷³

HRW describes the reaction of the UN as “slow and inadequate” and it was only in 2005 that the abuses were publicly condemned.¹⁷⁴ Jane Freedman confirms this problematic way of handling things, because the 2004 “allegations led to an investigation by the UN’s Office of Internal Oversight Services (OIOS) which found that sexual abuse and exploitation by peacekeepers was widespread in the DRC”.¹⁷⁵

In a Report from 2009, HRW once again states that “UN peacekeepers have also themselves been involved in sexual abuse in Congo, including notably sexual exploitation of minors”.¹⁷⁶ Following this, in “April 2009, MONUC launched a comprehensive strategy to combat sexual violence”.¹⁷⁷ However, OIOS found in 2013 that “the fresh allegations of sexual misconduct by peacekeeping troops have declined since their peak in the early 2000s, but still remain unacceptably high”.¹⁷⁸

With these allegations, a zero-tolerance policy and news of HRW, the threat of peacekeeper sexual violence was presented soon after the mission began. How did these attempted speech acts influence MONUSCO’s policy?

MONUSCO

In 2010, the MONUC peacekeeping mission got the new title ‘MONUSCO’, because the Congolese government called for its withdrawal, “which was eager to claim security

¹⁷¹ ‘Seeking Justice’.

¹⁷² ‘Seeking Justice’.

¹⁷³ Ibidem.

¹⁷⁴ Idem.

¹⁷⁵ Jane Freedman, ‘Chapter 6: International Responses: Are They Effective?’ in *Gender, Violence, and Politics in the Democratic Republic of Congo*, (Ashgate 2015), 119-138, there 125.

¹⁷⁶ ‘Soldiers who Rape, Commanders Who Condone’.

¹⁷⁷ ‘Soldiers who Rape, Commanders Who Condone’.

¹⁷⁸ Freedman, ‘Chapter 6’, 126.

improvements ahead of the 50th anniversary of Congo's independence".¹⁷⁹ However, as written by HRW, "the new name made little difference in the struggle to protect civilians".¹⁸⁰ HRW devotes the failed efforts of MONUSCO to bring safety to civilians in areas affected by the LRA in 2010 to "limited resources directed to address the threat".¹⁸¹ After receiving criticism that peacekeepers disrespected human rights - not explicitly stating which rights - MONUSCO aimed to screen battalions before supporting them.¹⁸² This was with little success, because chains of command were difficult to assess and officers and commanders with human rights abuses on their track record remained in power.¹⁸³

In 2011, MONUSCO's mandate was renewed by the UNSC, "with a continued focus on protecting civilians".¹⁸⁴ To what extent they succeeded is not discussed, however "UN member states failed to provide it with the logistical capabilities it required".¹⁸⁵

The 2014 report is the first one that uses the sub header "abuses by the security forces",¹⁸⁶ which are presumably government forces such as the military and the police. Although MONUSCO is not a part of the security sources, it is still problematic that they support the troops that HRW reports rapes and other crimes against humanity about.¹⁸⁷ It is striking that this relationship is not mentioned.

In March 2019, the MONUSCO mandate was extended for nine months by an unanimously adopted resolution in the UNSC. It "called for an independent strategic review of the mission".¹⁸⁸ The report of 2021 mentions that after extending MONUSCO, "the mission is working towards a transition program that would ensure its exit within the next few years".¹⁸⁹ Up unto this day (2022), the end of MONUSCO has not been announced yet.

In the majority of the reports, MONUSCO is not mentioned at all. In the ones that the mission is discussed, nowhere is even one sentence devoted to sexual violence by peacekeepers. Moreover, most of the time that MONUSCO is discussed it is about the extending of the mandate and their commitment to human rights. The same goes for news articles since 2010, in which the role of MONUSCO is for example praised in the Minova rape

¹⁷⁹ 'Democratic Republic of Congo', *World Report 2011*, 103.

¹⁸⁰ 'Democratic Republic of Congo', *World Report 2011*, 103.

¹⁸¹ *Ibidem*, 104.

¹⁸² *Idem.*, 106.

¹⁸³ *Idem.*, 107.

¹⁸⁴ 'Democratic Republic of Congo', *World Report 2012*, 109.

¹⁸⁵ 'Democratic Republic of Congo', *World Report 2012*, 109.

¹⁸⁶ 'Democratic Republic of Congo', *World Report 2014*, 109.

¹⁸⁷ 'Democratic Republic of Congo', *World Report 2014*, 103.

¹⁸⁸ 'Democratic Republic of Congo', *World Report 2020*, 168.

¹⁸⁹ 'Democratic Republic of Congo', *World Report 2021*, 198.

case Trial, where “the presence of MONUSCO and the expertise of its protection unit were crucial in the Minova case”, also by “providing essential logistical support and some measure of security”.¹⁹⁰

There is one exception from 2020, in which Wheeler wrote about the sexual abuse problem of UN peacekeeping. She acknowledged that HRW reported on rape by UN troops in the DRC. The problem according to Wheeler is that “while the UN can investigate allegations of sexual abuse and rape, peacekeeper accountability is up to the country that sends the troops. As a result, prosecutions have been rare even after media coverage and outrage”.¹⁹¹ Although the UN has put effort into change (see chapter 3), Wheeler suggested they – combined with civil society groups and the media – have to insist on countries that send peacekeepers “to respond to abuse allegations more seriously and more transparently”.¹⁹²

In contrast to the non-peacekeeper sexual violence, HRW does not perform a speech act for sexual violence by MONUSCO personnel. It attempted to do so for MONUC, but this was not repeated or followed-up on. This shows that the securitisation of sexual violence by peacekeepers has not been initiated. The next section explores more evidence of this.

NGOWG and Sexual Violence by UN Peacekeepers

To see how HRW works with other INGOs, the role of the NGOWG as securitising actor is discussed. HRW is part of the eighteen members of the NGOWG.¹⁹³ This is an NGO that “is a consensus-based coalition of 18 international non-governmental organizations (NGOs) working to advance the Women, Peace and Security agenda at the United Nations and around the world”¹⁹⁴, as a project of the American Tides Centre, “a philanthropic partner and nonprofit accelerator”.¹⁹⁵ Among their members is AI, that in their reports and news article only writes about peacekeeper sexual violence within MONUC, and in other countries than the DRC. They addressed the UN to do something about it at that time.¹⁹⁶ Although the individual

¹⁹⁰ ‘Justice on Trial’.

¹⁹¹ Wheeler, ‘UN Peacekeeping has a Sexual Abuse Problem’.

¹⁹² Wheeler, ‘UN Peacekeeping has a Sexual Abuse Problem’.

¹⁹³ ‘Members’, NGO Working Group on Women, Peace and Security (2020), <https://www.womenpeacesecurity.org/about/members/>.

¹⁹⁴ ‘About’, NGO Working Group on Women, Peace and Security (2020), <https://www.womenpeacesecurity.org/about/>.

¹⁹⁵ ‘About’, Tides Centre (2022), <https://www.tides.org/about/>.

¹⁹⁶ See for Example ‘UN Must Get Tough on Peacekeeper Sex Abuse’, Amnesty International (16 December 2015), <https://www.amnesty.org/en/latest/news/2015/12/un-must-get-tough-on-peacekeeper-sex-abuse/>; ‘UN: Report on Sexual Abuse Paves Way for Meaningful Reform’, Amnesty International (9 March 2017), <https://www.amnesty.nl/actueel/un-report-on-sexual-abuse-paves-way-for-meaningful-reform>.

organisations are not that keen on presenting abuse by MONUSCO peacekeepers, the statements are less reticent under the NGOWG.

Originally, the group focuses on the implementation of UN Resolution 1325 that:

reaffirms the important role of women in the prevention and resolution of conflicts, peace negotiations, peace-building, peacekeeping, humanitarian response and in post-conflict reconstruction and stresses the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security.¹⁹⁷

At the UNSC's open debate on WPS in 2015, spokesperson Julienne Lusenge stated that "all perpetrators of sexual violence crimes, including UN peacekeepers, must be brought to justice" and that "peacekeeping missions should not provide long careers, but should be well planned with concrete results".¹⁹⁸ This is an important step to see that peacekeeper sexual violence is addressed by an INGO in front of the UN and not shielding the mission in front of the UNSC. It appeals to the relevant audience, trying to complete a securitising move.¹⁹⁹ It is similar to a speech act before, only this time it stops with urgency, rather than continuing with extraordinary measures.

Lusenge refers back to 2008, seven years prior to this statement, when she "painted in details the rapes, murders and massacres. I asked you for concrete action for the implementation of UNSCR 1325 and for strategies aimed at stopping sexual violence in (...) conflict be integrated into peace operations".²⁰⁰ Seven years later, she had "to re-describe the same atrocities, to tell you that almost nothing has changed in critical situations for women in DRC".²⁰¹ In a policy brief focused on the monitoring of the UNSC's work over the course of 2015, it is argued that "despite the rhetoric and repeated commitments, the Women, Peace, and Security agenda is far from being comprehensively implemented in policy and practice by Member States and the UN system".²⁰²

¹⁹⁷ 'Landmark Resolution on Women, Peace and Security', UN Office of the Special Advisor on Gender Issues and Advancement of Women' (2022), <https://www.un.org/womenwatch/osagi/wps/>.

¹⁹⁸ 'Statement at the UN Security Council Open Debate on Women, Peace and Security', NGO Working Group on Women, Peace and Security (13 October 2015), <https://www.womenpeacesecurity.org/resource/statement-uns-c-open-debate-women-peace-security-october-2015/>.

¹⁹⁹ Peoples and Vaughan-Williams, 'Chapter 5', 78.

²⁰⁰ 'Statement at the UN Security Council Open Debate on Women, Peace and Security'.

²⁰¹ 'Statement at the UN Security Council Open Debate on Women, Peace and Security'.

²⁰² Report 'Mapping Women, Peace and Security in the UN Security Council: 2015', NGO Working Group on Women, Peace and Security (10 May 2016), there 1, <https://www.womenpeacesecurity.org/resource/mapping-women-peace-and-security-in-the-un-security-council-2015/>.

This shows that a speech act occurred which attempted to securitise the issue, but successful securitisation “requires some degree of acceptance between the perpetrator of the securitizing speech act and the relevant audience that is appealed to”.²⁰³ Lusenge’s second speech shows that her first one was not taken up by the audience, the UNSC. Despite these debates and resolutions, we see that nothing has changed. More discussion of this can be found at the Global Summit.

Global Summit to End Sexual Violence in Conflict

To see whether and how the previously found difference in securitisation operates in a public, global context, the Global Summit to End Sexual Violence in Conflict is assessed. From 10 until 13 June 2014 in London, the summit was co-chaired by “former [UK] Foreign Secretary Lord Hague of Richmond and Special Envoy for the UN High Commissioner for Refugees Angelina Jolie”.²⁰⁴ Jeanine Mabunda was appointed “as presidential adviser on sexual violence and child recruitment in Congo”.²⁰⁵ Furthermore “in August, the Congolese government launched a comprehensive action plan to tackle sexual violence by soldiers”.²⁰⁶

According to the UK government, it was “the largest gathering ever brought together on the subject and was a milestone in bringing this issue to the world’s attention and encouraging others to act”.²⁰⁷ The attendees were 120 countries, over 100 NGOs, 70 Foreign Ministers, many survivors and 900 experts from different fields. The government previously launched the Preventing Sexual Violence in Conflict Initiative, which led to the summit as opportunity for reflection.²⁰⁸ On 24 September 2013, the “Declaration of Commitment to End Sexual Violence in Conflict” was endorsed by over two thirds of the UN members.²⁰⁹ The Summit was not specifically focused on the DRC, but it gives an impression of how (peacekeeper) sexual violence in conflict is viewed. In the summary of the summit, the country is discussed specifically.

General peacekeeper sexual violence is explicitly mentioned there:

²⁰³ Peoples and Vaughan-Williams, ‘Chapter 5’, 78.

²⁰⁴ ‘Global Summit to End Sexual Violence in Conflict’, GOV.UK (9 March 2017), <https://www.gov.uk/government/collections/2014-global-summit-to-end-sexual-violence-in-conflict#:~:text=The%20Global%20Summit%20to%20End%20Sexual%20Violence%20in%20Conflict%20in,of%20sexual%20violence%20in%20conflict>.

²⁰⁵ ‘Democratic Republic of Congo’, *World Report 2015*, 193.

²⁰⁶ ‘Democratic Republic of Congo’, *World Report 2015*, 193.

²⁰⁷ ‘Global Summit to End Sexual Violence in Conflict’.

²⁰⁸ ‘Global Summit to End Sexual Violence in Conflict’.

²⁰⁹ ‘A Declaration of Commitment to End Sexual Violence in Conflict’, GOV.UK (24 September 2013), <https://www.gov.uk/government/publications/a-declaration-of-commitment-to-end-sexual-violence-in-conflict>.

Much has been done over recent years to address cases of sexual exploitation and abuse committed by peacekeepers, but continued cases threaten the credibility of the international peacekeeping system and individual missions, and discourage victims from coming forward.²¹⁰

It is striking that peacekeeper misconduct is discussed at this summit. It suggests a different relationship between the government of the UK and the UN, versus HRW and the UN, since the UK openly speaks about the issue and HRW does not mention it once in their annual reports. This relates to one of the reasons that Jan Ruzicka gives for the failure of a securitisation move: “the actors may not possess sufficient authority or social capital vis-à-vis the relevant audience”.²¹¹ The policy paper of the summit proposes that

There should be a review of progress on the issues identified by the Zeid Report [of the Secretary-General’s special advisor]. UN processes for investigating sexual exploitation and abuse should be more transparent, and there should be no inconsistency in how civilian and military staff are treated. States must do more to investigate and prosecute their own nationals who have been accused of sexual exploitation and abuse whilst on peacekeeping operations. The outcome of cases should be reported back to victims and missions.²¹²

It states specifically that there should be gathered more information on the crimes against boys and men. Gender-related, it proposes that female peacekeepers and police should be of a fixed percentage in missions.²¹³

Somalia and the DRC are specifically discussed, and for the DRC peacekeepers are not mentioned. Nevertheless, “ministers voiced their support for the DRC, which in the midst of continued instability involving 40 armed groups, has launched a National Strategy to Fight Sexual Violence”.²¹⁴ This plan proposes different ways of support, reform, and improvements, especially in the justice and security sector. It states that the UN stands in solidarity with the DRC and the international community.²¹⁵

²¹⁰ Policy paper ‘Chair’s Summary - Global Summit to End Sexual Violence in Conflict’, GOV.UK (13 June 2014), <https://www.gov.uk/government/publications/chairs-summary-global-summit-to-end-sexual-violence-in-conflict/chairs-summary-global-summit-to-end-sexual-violence-in-conflict>.

²¹¹ Jan Ruzicka, ‘Failed Securitization: Why It Matters’, *The University of Chicago Press Journals* 51 (April 2019) 2, 365-377, there 373, <https://www.journals.uchicago.edu/doi/full/10.1086/702213>.

²¹² ‘Chair’s Summary’.

²¹³ ‘Chair’s Summary’.

²¹⁴ ‘Chair’s Summary’.

²¹⁵ ‘Chair’s Summary’.

The UN wrote about the summit at the time, but it did not discuss the comments on peacekeeper sexual violence.²¹⁶ Furthermore, there is no follow-up found afterwards, nor any indications that it is in progress or will be discussed later. This suggests another stop in the securitisation process.

Conclusion

Today in 2022, eighteen years and multiple accusations later, it is painfully clear how “slow and inadequate” the UN’s response has been. Dealing with the question how INGOs made a securitisation move for sexual violence by MONUSCO peacekeepers, the answer is they did not. By drawing on the HRW annual reports, sexual violence by peacekeepers is not mentioned once, although the information on these abuses has been available since 2004. Instead, the reports focus in great detail on the “horrific” and “serious” abuse of other, non-peacekeeper, armed forces. Even though there are indeed more armed forces that commit sexual abuse than peacekeepers, the difference in attention and securitisation move is still out of proportion.

This means that non-peacekeeper sexual violence is treated and framed differently than peacekeeper sexual violence: sexual violence by peacekeepers is securitised and HRW, NGOWG, the Global Summit and the UN say security by recommending extraordinary measurements. Contrarily, non-peacekeeper sexual violence is not securitised after few attempted speech acts. The next chapter explores the failure of securitisation and the explanation for this. The evidence in this chapter suggests that it is related to (a lack of) social capital, as well as the difference of framing per actor.

²¹⁶ ‘Global Summit – Exceptional Opportunity to End Sexual Violence in Conflict’, United Nations Human Rights Office of the High Commissioner (12 June 2014), <https://www.ohchr.org/en/stories/2014/06/global-summit-exceptional-opportunity-end-sexual-violence-conflict>.; ‘Global Summit Urges to End Sexual Violence in Conflict’, United Nations Population Fund (10 June 2014), <https://www.unfpa.org/news/global-summit-urges-end-sexual-violence-conflict>.

Chapter 3: How the Credibility of the UN Affects the Securitisation Process

Introduction

As touched upon in chapter 2, one of the reasons to explain the success and failure of securitisation processes is (the lack of) social capital. Furthermore, Westendorf researched the impact of sexual misconduct in peacekeeping missions and concludes that “if you undermine the moral authority of the UN, you’re finished”.²¹⁷ This relates to the discrepancy between the securitisation of sexual violence perpetrated by non-peacekeepers and by UN peacekeepers in the DRC. This chapter answers the question how this discrepancy in securitisation can be explained, by using the framework for failed securitisation of Jan Ruzicka.

Ruzicka argues that “failed cases can provide a firmer understanding of why some securitizing moves succeed while others do not”.²¹⁸ He provides four reasons why a securitisation move might fail: “first, an actor presenting a securitizing move might not know how to speak security in a given context”, “second, the actors may not possess sufficient authority or social capital vis-à-vis the relevant audience”, third “what is presented as a threatening object may not be amenable to securitization”, and “fourth, the relevant audience may refuse to accept a securitizing move”.²¹⁹ The framework is used as a way to understand and structure the complex reality. What impacts the process the most and what does it take for securitisation to be successful? And moreover, who can be held accountable?

This chapter argues that the UN does not take up the securitisation process of sexual violence by MONUSCO, because it harms their credibility and reputation of a moral authority. It has to do with the structure of the UN, (not) taking responsibility, and the power who can (not) securitise. It draws upon HRW sources and their general reports, on information from MONUC and MONUSCO, and on UNSC resolutions. The first section assesses the current policy on peacekeeper sexual violence, followed by exploring the four reasons of Ruzicka.

Policy on Sexual Violence MONUSCO

In the previously discussed article by Wheeler, she admitted that the UN did in fact make some improvements regarding tackling peacekeeper sexual abuse. For example “in 2015,

²¹⁷ Westendorf, ‘Chapter 4’, 68.

²¹⁸ Jan Ruzicka, ‘Failed Securitization: Why It Matters’, *The University of Chicago Press Journals* 51 (April 2019) 2, 365-377, there 366, <https://www.journals.uchicago.edu/doi/full/10.1086/702213>.

²¹⁹ Ruzicka, ‘Failed Securitization’, 373.

the UN began publishing the nationalities of soldiers alleged to have sexually exploited and abused women and girls”.²²⁰ And “in 2017, the UN established a global “Victim Rights Advocate” and embedded victim advocates within peacekeeping missions”.²²¹ Finally, “UN efforts have led to some improvements by troop and police contributing countries such as more training and troop vetting ahead of deployment”.²²² Although these are steps in the right direction, it is not the UN taking responsibility for their soldiers that perpetrate these abuses under their blue helmets.

Providing an important exception of the UNSC discourse, Resolution 2409 mentions sexual abuse within MONUSCO. As discussed under the securitisation of non-peacekeeper sexual violence, the resolution focuses on the DRC specifically and provides an example of how the UNSC integrated the WPS agenda.²²³ In the document, the UNSC states “to ensure full accountability in cases of such conduct involving their personnel through timely investigation of allegations by T/PCCs [troops- and police-contributing countries] and MONUSCO”.²²⁴ It states that within MONUSCO a zero-tolerance policy should be performed, and the personnel should be prosecuted by the responsible member-states when perpetrating misconduct. Continuing to the strategic review, the UNSC “*requests* the Secretary-General (...) to implement a zero-tolerance policy on serious misconduct, sexual exploitation and abuse” among others.²²⁵

It is striking that after years of holding back, the UNSC here acknowledges peacekeeper sexual violence in the DRC. However, it focuses again on *serious* misconduct, and only the Secretary-General should attend to this implementation. Finally, this zero-tolerance policy was announced as early as 2004, but this document shows that it has not been complied with up to 2018.

MONUSCO themselves organised “an awareness-raising session on March 12 [2020] to combat sexual exploitation and abuse perpetrated by United Nations personnel”.²²⁶ There were 33 attendees, “including 13 women from civil society organizations in Kananga,

²²⁰ Wheeler, ‘UN Peacekeeping has a Sexual Abuse Problem’.

²²¹ Wheeler, ‘UN Peacekeeping has a Sexual Abuse Problem’.

²²² Ibidem.

²²³ ‘About Women, Peace and Security in the Security Council’.

²²⁴ ‘Resolution 2409’, 15.

²²⁵ ‘Resolution 2409’, emphasis in original.

²²⁶ ‘RDC: MONUSCO Explains Its Policy against Sexual Exploitation and Abuse to Civil Society Organizations in Kananga’, United Nations Peacekeeping (19 March 2020), <https://peacekeeping.un.org/en/rdc-monusco-explains-its-policy-against-sexual-exploitation-and-abuse-to-civil-society-organizations>.

Kasai”.²²⁷ When assuming that the other twenty attendees were from the UN, this is still a relatively small number. Nevertheless, “participants were educated (...) on the actions constituting cases of sexual exploitation and abuse by UN staff” and “updated on the investigation procedures and actions carried out by MONUSCO”.²²⁸ It is important that people are aware of these policies, however it is once again not focused on prevention and on the actions of MONUSCO soldiers themselves. It does state that:

any staff found as being in violation of the rules and regulations is liable to disciplinary sanctions within the United Nations. International staff may also be subject to sanctions in their country, while national staff may be subject to sanctions provided for by the Congolese law.²²⁹

Although making small efforts to discuss the issue and to raise awareness, it is not in a concrete nor deterring way. The problems of these processes are that they do not address the responsibility of the UN(SC), nor does MONUSCO provide a way to practically end sexual misconduct. Finally, it draws attention to policies that have been in place since MONUC, such as zero-tolerance and the protection of civilians, but it did not lead to change in practice.

How to Speak

The first reason Ruzicka offers for failed securitisation, is that “an actor presenting a securitizing move might not know how to speak security in a given context”.²³⁰ In regards to the speech acts of HRW on peacekeeper sexual violence, they failed. Over time, they stopped making speech acts for this at all. This shows that there was a time that HRW did know how to speak. Furthermore, chapter 2 shows that for the topic of non-peacekeeper sexual violence HRW certainly knows how to speak. It became clear that sexual violence is detailly discussed in regards to different Congolese forces, and the suggestions for judicial change are focused on the government of the DRC. Since HRW knows how to speak in regards to this topic, this is not the reason for the failure of securitising peacekeeper sexual violence.

²²⁷ ‘RDC’.

²²⁸ ‘RDC’.

²²⁹ Ibidem.

²³⁰ Ruzicka, ‘Failed Securitization’, 373.

Authority and Social Capital

The second possible reason that Ruzicka offers for a failed securitisation move, is that “the actors may not possess sufficient authority or social capital vis-à-vis the relevant audience”.²³¹ As touched upon before, this poses an important factor in the securitisation process of peacekeeper sexual violence in the DRC.

Relationship UN and HRW

The connection between HRW and the UN is important because this chapter argues that partly due to the relations between the two – and who has the power to securitise, and who does not - the discrepancy between securitisation of sexual violence by actors exists. As written by HRW, they leverage their “research on countries and issues addressed at the United Nations to inform UN officials and member states of key findings, influence policy on a wide range of discussion and push for urgent action on human rights crises”.²³² The first part of informing is conflicting with the annual reports, in which sexual violence by peacekeepers is not mentioned once in the period 2010-2020. This means that the influence on policy is also limited.

Furthermore, HRW aims to put human rights at the heart of UN policy, and they state that they advocate for “protection of civilians, accountability for past abuses, and preventive measures against future violations”.²³³ These aims are at odds with the results in chapter 2, that shows how HRW only pressures for accountability for Congolese forces. Moreover, their recommendations regarding sexual violence are of a retrospective nature rather than a preventative one.

In addition, as argued by Thomas Charman, INGOs “engage in several strategies to achieve their policy and advocacy goals, (...) seeking leverage with more powerful institutions and states”.²³⁴ This is an important point, since INGOs do have the power to narrate, but not the independent power to act. Even more so, “as these organisations lack the material power of states and inter-governmental organisations, INGOs and the strategies they employ instead rely on framing processes to garner support for problems they have identified and the solutions they propose”.²³⁵

²³¹ Ruzicka, ‘Failed Securitization’, 373.

²³² ‘United Nations’, Human Rights Watch (2022), <https://www.hrw.org/topic/united-nations>.

²³³ ‘United Nations’.

²³⁴ Thomas Charman, ‘Chapter 11: Sexual Violence or Torture? The Framing of Sexual Violence Against Men in Armed Conflict in Amnesty International and Human Rights Watch Reports’ in Maysia Zalweski et al. *Sexual Violence Against Men in Global Politics* (Routledge 2020), 198-210, there 201.

²³⁵ Charman, ‘Chapter 11’, 201.

This point of view is affirmed by Sujay Ghosh, who argues that “the political context of their [NGOs] action is determined by their relationship with the donors and social movements”.²³⁶ He states that “power relations enter at the point of distribution, to determine which actors may have access to benefits and how”.²³⁷ This suggests that the relationship between the UN and HRW is of importance to the securitisation process. Linking back to securitisation theory, this relates to power. As proven by Charman, NGOs lack material power,²³⁸ which is opposed to political actors, who “can appropriate power more easily when invoking security”.²³⁹ So how does this work when it is not an INGO but a state that tries to provoke the UN?

Relationship UN and States

This section follows up on the suggestion that only states seem to have the social capital needed to securitise. As discussed in chapter 2, the UK government openly spoke about peacekeeper sexual violence at the Global Summit to End Sexual Violence in Conflict in 2014. However, there is no follow-up found on account of the UN.

As opposed to states, NGOs have more trouble to influence or restrict the UNSC.²⁴⁰ This means that states have more impact on the Council, and this is particularly true for member states in the UNSC.²⁴¹ The UK is one of the five permanent members of the UNSC.²⁴² Members have a co-dependent relationship with the Council, because as written by Annamarie Bindenagel Šehović, “human rights can be taken to be universal, the responsibility for their security has been State grounded”.²⁴³ However, after being called out by one of those member states in a public and international setting, little has happened since.

²³⁶ Sujay Ghosh, ‘NGOs as Political Institutions’, *Journal of Asian and African Studies* 44 (2009) 5, 475-495, there 475, <https://journals-sagepub-com.proxy.library.uu.nl/doi/pdf/10.1177/0021909609340063>.

²³⁷ Ghosh, ‘NGOs as Political Institutions’, 476.

²³⁸ Charman, ‘Chapter 11’, 201.

²³⁹ Ruzicka, ‘Failed Securitization’, 366.

²⁴⁰ Mauricio Palma, ‘Introduction’ in *Technocracy and Selectivity: NGOs, the UN Security Council and Human Rights* (Nomos Verlagsgesellschaft, 2019), 11-14 there 12.

²⁴¹ Baldur Thorhallsson, ‘Small States in the UNSC and the EU: Structural Weaknesses an Ability to Influence’ in P. Butler and C. Morris (eds) *Small States in a Legal World: The World of Small States* (Springer 2017), 35-64.; Brian Frederking and Christopher Patane, ‘Legitimacy and the UN Security Council Agenda’, *PS: Political Science & Politics* 50 (2017) 2, 347–53, <https://www.cambridge.org/core/journals/ps-political-science-and-politics/article/legitimacy-and-the-un-security-council-agenda/0828DD82320603D0DEE0D154BB36C0AD>.

²⁴² ‘Current Members’, United Nations Security Council (2022), <https://www.un.org/securitycouncil/content/current-members>.

²⁴³ Annemarie Bindenagel Šehović, ‘Introduction’ in *Reimagining State and Human Security Beyond Borders* (Springer International Publishing 2018).

So, if it is not about the relationship between INGOs and the UN or states and the UN on its own, it seems to be the topic of peacekeeper sexual violence itself that is challenging for the UN.

Amenability to Securitisation

Ruzicka's third reason is that "what is presented as a threatening object may not be amenable to securitization".²⁴⁴ As suggested by Wheeler in 2020, "peacekeeper accountability is up to the country that sends the troops".²⁴⁵ This is a legitimate reason: the UN cannot put the soldiers to trial since this has to be done by the member state that is sending the troops. As voiced by Roísín Sarah Burke:

The legal framework in which UN peacekeeping operations function is complex, variable and replete with practical, legal, conceptual and operational uncertainties, causing difficulties with holding any category of UN personnel to account for SEA [sexual exploitation and sexual abuse].²⁴⁶

This means that it is hard to securitise it as a crime at the level of the UN.

Following up on what the UN *can* do, they contribute to aftercare for victims of sexual violence in the form of medical care and psychological support.²⁴⁷ It is important that victims receive care and legal assistance. However, there is a discrepancy between preventive measures and remedial ones. This shows that it is seen as an issue, but not as a security issue. This research suggests that it is more important to focus on prevention. Since, in the words of Lusenge "one woman [or person] who has to endure this, is one woman [or person] too many".²⁴⁸ So if the topic of sexual violence is amenable to securitisation, why is *peacekeeper* sexual violence not?

Acceptance by the Audience

The fourth and final provided reason is that "the relevant audience may refuse to accept

²⁴⁴ Ruzicka, 'Failed Securitization', 373.

²⁴⁵ Wheeler, 'UN Peacekeeping Has a Sexual Abuse Problem'.

²⁴⁶ Roísín Sarah Burke, 'Introduction' in *Sexual Exploitation and Abuse by UN Military Contingents: Moving Beyond the Current Status Quo and Responsibility under International Law* (Brill Nijhoff 2014), there 2.

²⁴⁷ See for example 'Sexual Violence Unit', MONUSCO (2022), <https://monusco.unmissions.org/en/sexual-violence-unit>; 'OHCHR in Democratic Republic of the Congo', United Nations Human Rights Office of the High Commissioner (November 2020), <https://www.ohchr.org/en/countries/democratic-republic-congo/our-presence>.

²⁴⁸ 'Mapping Women, Peace and Security in the UN Security Council'.

a securitizing move”.²⁴⁹ In the testimony of Van Woudenberg, she quickly moved away from the subject of peacekeeper sexual violence to non-peacekeeper sexual violence.²⁵⁰ This illustrates the importance of the audience accepting the speech act. Van Woudenberg also framed the positive contribution of the mission to gain support. This is something the UN does as well. Following the research of Westendorf, it is argued that the UN wants both financial and moral support for MONUSCO. This is why they (and HRW) repeatedly ask member states for their support, and focus more on non-peacekeeper sexual violence than on misconduct by peacekeepers. There is again a “pressure to report on success” in order for the continuation of funding, and to hide the UN’s limited capacity to counter sexual violence.²⁵¹

Forming a prominent reason for the failed securitisation, this is where Ruzicka’s framework stops. This research goes further and asks *why* the audience – the UNSC – does not accept the securitisation of sexual violence. It argues that this has to do with their credibility.

Credibility

When the UN would tackle abusive peacekeepers and prevent it from happening, they would acknowledge that there is a problem with the organisation. This does not correspond with its reputation and credibility. Bruce Cronin and Ian Hurd focus on the legitimacy of the Council with the approach of an empirical question.²⁵² By “following Weber’s subjective approach, the essence of legitimacy is thus a perception on the part of an audience that the institution should be obeyed”.²⁵³ If the UN acknowledges its mistakes, the member states will not obey the institution anymore. Moreover, “Implicit in the concept of authority is responsibility (...) This produces expectations that the authority will act when circumstances require it to do so”.²⁵⁴ When accepting peacekeeper sexual violence as an existential threat, this means that the UN has to take extraordinary measures. Apart from credibility, we saw that there are also practical limitations to this with regards to prosecution. However, it is argued that responsibility should be taken, especially referring back to the concept of authority.

Furthermore, Westendorf argues that:

²⁴⁹ Ruzicka, ‘Failed Securitization’, 373.

²⁵⁰ ‘MONUC’, Human Rights Watch.

²⁵¹ Westendorf, ‘Chapter 4’, 67.

²⁵² Bruce Cronin and Ian Hurd, ‘Chapter 1’ in *The UN Security Council and the Politics of International Authority* (Routledge 2008), 3-22, there 14.

²⁵³ Cronin and Hurd, ‘Chapter 1’, 15.

²⁵⁴ *Ibidem*, 17.

sexual misconduct in individual missions has far-reaching impact that reduce international capacities to engage effectively in peace operations and diminish the perceived legitimacy of the international community engaged in peacekeeping and peacebuilding, thereby undermining the international community's capacity to pursue the broader aspirational goals that animate peacekeeping.²⁵⁵

This also goes for MONUC and MONUSCO, because sexual exploitation – as argued by Westendorf – puts the perception of impartiality of the UN at risk. Furthermore, the confidence of peacekeepers in their organisation and the peacekeeping mission diminishes, and it subverts their morale. Besides, the UN peacekeeping operations are under pressure, and the mentioning of peacekeeping abuse puts funds in danger. And finally, it

presents a challenge to the established processes of legitimation that the UN and the international community pursue in order to maintain the perception of moral authority in the eyes of the world's states and peoples that is foundational to its continued work.²⁵⁶

This all leads to “a mutually reinforcing downward spiral of capacity and perceived credibility”.²⁵⁷

The discrepancy of response to sexual violence per actor is also found by Westendorf: “the uneven responses to sexual exploitation and abuse within the UN system and the treatment of whistleblowers amplify this erosion of perceived legitimacy” and statements did not translate into policy nor reality.²⁵⁸ It is openly acknowledged by both “officials within the UN Department of Peacekeeping Operations as well as diplomats to the UN” that there is “reluctance within the UN to openly discuss misconduct because it is bad for the UN's reputation”.²⁵⁹ This analysis suggests that this is exactly the reason why the audience does not accept securitisation moves, and why the process for peacekeeper sexual violence fails.

Conclusion

This chapter shows that there are several reasons at play that explain the unsuccessful securitisation of peacekeeper sexual violence, by specifically focusing on the role of the UN. Although there were some improvements made on sexual misconduct within MONUSCO, this

²⁵⁵ Westendorf, ‘Chapter 4’, 55.

²⁵⁶ Westendorf, ‘Chapter 4’, 55.

²⁵⁷ Ibidem, 56.

²⁵⁸ Idem., 67.

²⁵⁹ Idem., 68.

research agrees that “these remain inadequate and have failed for the most part to effectively secure justice, accountability and/or some form of reparation or redress for victims”.²⁶⁰

By using the framework of Ruzicka for unsuccessful securitisation, it is found that the UN is hesitant to speak out, because they have limited power to take extraordinary measures. Relating authority and social capital, HRW has the power to narrate but not to act, so they seek leverage at the UN. For states like the UK for example, they have a different relationship with and within the UN, so they are less hesitant to speak. However, the securitisation process stops here afterwards.

Furthermore, peacekeeper sexual violence is not that amenable to securitisation, because the UN cannot put the soldiers to trial, this has to be done by the member state sending the troops. The measures that are put into play only focus on aftercare instead of prevention. This shows that sexual violence is seen as an issue, but not as a security issue. The acceptance of the audience reason relates to credibility. HRW tries to obey the UN by framing the positive sides of MONUSCO. The UN does not want to put their perception of impartiality and credibility at risk, because this hurts the confidence of peacekeepers and their morale. Since it is known that misconduct is bad for the UN’s reputation, HRW is indeed unwilling to undermine the moral authority of the UN. Relating back to securitisation theory, we see power relations at play.

²⁶⁰ Burke, ‘Introduction’, 2.

Conclusion

As early as allegations of sexual misconduct in MONUC came to light, there have been some attempted speech acts to securitise the issue.²⁶¹ This did not succeed initially and rippled along. When sexual violence came to be known as a separate phenomenon instead of only a by-product of conflict, international attention increasingly focused on the subject. This was manifested by the WPS agenda and UNSC resolutions, as well as public attention in for example the form of the Global Summit to End Sexual Violence in Conflict. However, peacekeeper sexual violence continued relatively silent.

Researching the question how and why victims of sexual violence by UN peacekeepers were securitised by HRW in the DRC from 2010 to 2020, the answer to the first part is they were not. By doing a discourse analysis of the annual reports of HRW, it found a huge discrepancy between the securitisation of non-peacekeeper sexual violence and peacekeeper sexual violence in the DRC. In the case of peacekeeper sexual violence, HRW does not make a securitising move. Securitisation theory is a helpful way to approach this problem, because it shows both when securitisation is successful, and when it is not. The combination of sexual violence and securitisation in the DRC is a unique one, and a welcome one to expand our knowledge and the existing scholarship.

In the world reports covering 2010-2020, HRW does not mention sexual violence by MONUSCO peacekeepers once. However, they make a securitising move for non-peacekeeper sexual violence. There is a difference in language and framing: non-peacekeeper misconduct is reported in detail and labelled as “horrific”, “serious” or rebellious, whereas peacekeeper sexual violence is in other reports only mentioned as “abuse”. This implicates that the latter one is seen as a lesser crime, which is not nor should be the case.

Explaining why peacekeeper sexual violence was not successfully securitised by drawing on Ruzicka’s framework for failed securitisation, it is found that different reasons are intertwined, but one stands out. To start, HRW knows how to speak, but only does this for non-peacekeeper sexual violence. They have the power to narrate but not to act, so they seek leverage at the UN for social capital. Since the UN cannot put peacekeepers to trial themselves, it is easier to not take responsibility and put the ball in the court of member states. This is a legit limitation, but the UN neither pushes member states to take their responsibility. This brings us to the main reason: the UNSC refuses to securitise peacekeeper

²⁶¹ The War Within the War’.

sexual violence because of their reputation as moral authority and the credibility of the institution. By framing the positive contributions of MONUSCO, both HRW and the UN do not undermine the institution as a moral authority. This means that the “zero-tolerance” policy that is repeated over and over again, is not implemented.

Discussion and Suggestions

The aim of this thesis was to bring the securitisation process of peacekeeper sexual violence into focus, hoping to find the hitch in the chain and propose a solution. Due to the scope of this thesis, demarcations had to be made in terms of time, organisations, and focus. By finding that the securitisation process was unsuccessful and did not really take place, it is harder to contribute to the policy-making. This research encourages the UN to take responsibility for what they *can* control, and set up a system that makes it easier for member states to put their peacekeeper troops at trial.

Luckily, this is not the only work that recognises the seriousness of the issue, and further research can contribute to a new reality. This could focus on different INGOs that operate in the DRC and also have a strong relationship with the UN. It would be beneficial to see what discourse is used and what steps are taken after speech acts.

Although trying to overcome the limitations of securitisation theory by different schools of thought into account and focus on a non-European region, this thesis is still written for a European University. Here lies room for the construction of a critical discussion on Eurocentrism, racism and gender.²⁶² Additionally, it would be important to see things from a local perspective. What do Congolese NGOs focus on, and what discourse do they use in their sources? Finally, securitisation theory is used as a lens to study the topic. It makes sense that it does not fit onto reality, but it helps to organise and structure reality in a way that helps us understand it. The same goes for Ruzicka’s framework for unsuccessful securitisation.

Relating to the UN, the topic of credibility and responsibility is an important one that surpasses the issue of sexual violence. Themes such as migration, climate change and global health could be studied from this perspective as well, in combination with securitisation theory.²⁶³

²⁶² See for example Bilgin, ‘The ‘Western-Centrism’ of Security Studies’; Hansen, ‘The Little Mermaid’s Silent Security Dilemma and the Absence of Gender in the Copenhagen School’; Howell and Richter-Montpetit, ‘Is Securitisation Theory Racist?’.

²⁶³ Follow up on for example Krzysztof Jaskulowski, ‘The Securitisation of Migration: Its Limits and Consequences’, *International Political Science Review* 40 (2019) 5 (November 2019), 710–720, <https://doi.org/10.1177/0192512118799755>.; F. von Lucke *The Securitisation of Climate Change and the*

Since allegations continue,²⁶⁴ the time to act and securitise peacekeeper sexual violence in the DRC is now. The “zero-tolerance” policy should be implemented in MONUSCO and all other UN missions and adhered to as fast as possible.

Governmentalisation of Security (Springer 2020).; Jeremy Shiffman and Yusra Ribhi Shawar, ‘Framing and the Formation of Global Health Priorities’, *The Lancet* 399 (2022) 10339, 1977-1990, [https://doi.org/10.1016/S0140-6736\(22\)00584-0](https://doi.org/10.1016/S0140-6736(22)00584-0).

²⁶⁴ See Fraulin et al., “It Was with My Consent since He Was Providing Me with Money”; ‘DR Congo: UN Peacekeepers Face Fresh Sexual Abuse Claims’, BBC (28 April 2017), <https://www.bbc.com/news/world-africa-39745357>.

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Appendix



Faculty of Humanities

Version September 2014

PLAGIARISM RULES AWARENESS STATEMENT

Fraud and Plagiarism

Scientific integrity is the foundation of academic life. Utrecht University considers any form of scientific deception to be an extremely serious infraction. Utrecht University therefore expects every student to be aware of, and to abide by, the norms and values regarding scientific integrity.

The most important forms of deception that affect this integrity are fraud and plagiarism. Plagiarism is the copying of another person's work without proper acknowledgement, and it is a form of fraud. The following is a detailed explanation of what is considered to be fraud and plagiarism, with a few concrete examples. Please note that this is not a comprehensive list!

If fraud or plagiarism is detected, the study programme's Examination Committee may decide to impose sanctions. The most serious sanction that the committee can impose is to submit a request to the Executive Board of the University to expel the student from the study programme.

Plagiarism

Plagiarism is the copying of another person's documents, ideas or lines of thought and presenting it as one's own work. You must always accurately indicate from whom you obtained ideas and insights, and you must constantly be aware of the difference between citing, paraphrasing and plagiarising. Students and staff must be very careful in citing sources; this concerns not only printed sources, but also information obtained from the Internet.

The following issues will always be considered to be plagiarism:

- cutting and pasting text from digital sources, such as an encyclopaedia or digital periodicals, without quotation marks and footnotes;
 - cutting and pasting text from the Internet without quotation marks and footnotes;
 - copying printed materials, such as books, magazines or encyclopaedias, without quotation marks or footnotes;
- including a translation of one of the sources named above without quotation marks or footnotes;
- paraphrasing (parts of) the texts listed above without proper references: paraphrasing must be marked as such, by expressly mentioning the original author in the text or in a footnote, so that you do not give the impression that it is your own idea;
- copying sound, video or test materials from others without references, and presenting it as one's own work;
- submitting work done previously by the student without reference to the original paper, and presenting it as original work done in the context of the course, without the express permission of the course lecturer;

· copying the work of another student and presenting it as one's own work. If this is done with the consent of the other student, then he or she is also complicit in the plagiarism; · when one of the authors of a group paper commits plagiarism, then the other co-authors are also complicit in plagiarism if they could or should have known that the person was committing plagiarism;

· submitting papers acquired from a commercial institution, such as an Internet site with summaries or papers, that were written by another person, whether or not that other person received payment for the work.

The rules for plagiarism also apply to rough drafts of papers or (parts of) theses sent to a lecturer for feedback, to the extent that submitting rough drafts for feedback is mentioned in the course handbook or the thesis regulations. The Education and Examination Regulations (Article 5.15) describe the formal procedure in case of suspicion of fraud and/or plagiarism, and the sanctions that can be imposed.

Ignorance of these rules is not an excuse. Each individual is responsible for their own behaviour. Utrecht University assumes that each student or staff member knows what fraud and plagiarism



entail. For its part, Utrecht University works to ensure that students are informed of the principles of scientific practice, which are taught as early as possible in the curriculum, and that students are informed of the institution's criteria for fraud and plagiarism, so that every student knows which norms they must abide by.

I hereby declare that I have read and understood the above.
Name: Lotte van der Sluis
Student number: 6003192
Date and signature: 15-06-2022 

Submit this form to your supervisor when you begin writing your Bachelor's final paper or your Master's thesis.

Failure to submit or sign this form does not mean that no sanctions can be imposed if it appears that plagiarism has been committed in the paper.