



# Kavumu Case Study

## Introduction

In the Democratic Republic of the Congo, more than 40 young girls – some as young as 18 months – were **taken from their homes and raped** in the South Kivu village of Kavumu during a three-year reign of terror beginning in 2013. The perpetrators kidnapped the children in the dead of night, assaulted them, and then left them in the fields surrounding the village.

The attacks occurred with terrifying regularity, but the cases languished for more than three years without investigation; rumors linked the assaults to powerful community members, and the region was rife with corruption.

In 2013, **Physicians for Human Rights** (PHR) began working with medical, law enforcement, and legal professionals to gather forensic evidence from the survivors in a bid to secure justice for the girls and their families. PHR worked side-by-side with clinicians at Panzi Hospital documenting the girls' injuries and partnered with law enforcement and civil society stakeholders to help coordinate the investigation and provide technical assistance to clinicians and police investigators.

Then came a breakthrough: **the arrest of dozens of Congolese militia** members in June 2016. Among the accused was a powerful regional legislator, Frederic Batumike. Many expected he would escape accountability, but on November 9, 2017, Batumike and more than a dozen of his militia **went on trial** – the first time ever that a sitting lawmaker in the Congo has faced justice.

*A former powerful legislator, Frederic Batumike, on trial for crimes against humanity by rape and murder was sentenced to life in prison – a moment for justice in the Congo, 2017.*

*Credit: Physicians for Human Rights*



In another precedent, the Congolese military court for the first time allowed witnesses and survivors to use a series of protective measures to conceal their identities including, ensuring that survivors would not testify in public, permitting witnesses to testify wearing head-to-toe coverings, using voice modification technology (See more about ViVoMo in the Fact Sheet and Case Study), and placing dividers separating witnesses from the defendants and those in the public gallery to protect witness and survivor identities.

On December 13, 2017, **the court convicted Batumike and ten others** of crimes against humanity for rape and murder and sentenced them to life in prison – a watershed moment for justice in the DRC.

A military appeals court in July 2018 definitively secured justice for the survivors and their families.

### Factors that Led to Success

- Training to enhance the technical capacity and multisectoral collaboration of medical, legal and law enforcement professionals. The training was instrumental in supporting clinicians to document the physical and mental health harms in child survivors.
- Standardized documentation of cases was facilitated through the use of a medicolegal forensic form that was co-designed with PHR. This was a critical part of the documentation and interview process with child survivors. The evidence collected by clinicians using the medical certificate was able to be shared through the network with police investigators to aid investigations to show that the rapes were not isolated incidents but systematic.
- The “Task Force for Justice” a multisectoral network between medical actors, police and law enforcement facilitated collaboration and information-sharing while conducting the investigation. For example, PHR mobilized a multidisciplinary task force which included clinicians, lawyers, police officers, prosecutors, judges, community activists from Kavumu, local and international NGOs, and MONUSCO (the UN Organisation Stabilisation Mission in DRC) which met on a monthly basis to strategize about advancing the criminal investigation, safeguarding the survivors, witnesses and their families, and engage in advocacy.
- Multisectoral collaboration was further supported by ongoing mentoring and strategic expert engagement to reinforce capacity development principles across all sectors, not just with clinicians and police investigators, but also with judges and magistrates.

*Witnesses and survivors were allowed to use voice modification technology, Vivomo, to conceal their identities and were permitted witnesses to wear head-to-toe coverings as recommended by PHR, DRC, 2017.*

*Credit: Physicians for Human Rights*





*In a landmark judgment, 11 men are convicted of crimes against humanity for the rapes of dozens of girls and the murder of two men. Survivors and civil parties are awarded reparations.*

*Credit: Physicians for Human Rights*

- Deep engagement between child survivor's families, the wider community, and the legal and medical professionals working on the case was important as it allowed for regular updates around the case and for security concerns to be identified.
- Finally, the use of child friendly tools and approaches to interview and record child survivors' testimonies in ways that prioritized survivor-centered, and trauma-informed approaches was transformative in DRC where many of these approaches had not previously been used. These approaches included having a specialized pediatric forensic psychologist conduct child interviews and receiving consent to record those interviews. Police investigators observed the interviews in an adjacent room to be able to gather information needed to inform their investigations without needing to re-interview and potentially re-traumatize the young survivors. Prosecutors then worked with the courts to admit the pre-recorded videos to stand as the evidence in place of the child survivors testifying in court in front of perpetrators. When witnesses and family members testified in public hearings they were also granted special measures to protect their identities (as outlined above).

**For more information about the Kavumu Case and the good practices used by PHR and partners:**

- *Journal of International Criminal Justice: [Achieving Justice for Child Survivors of Conflict-related Sexual Violence in the Democratic Republic of the Congo: The Kavumu Case](#) (May 2020)*
- *The Lancet: [The case of Kavumu: a model of medicolegal collaboration](#) (June 2019)*
- International Justice Monitor: [The Kavumu Trial: Complementarity in Action in the Democratic Republic of Congo – International Justice Monitor](#) (February 2018)
- PHR Video, Landmark child rape trial in DRC's Kavumu. <https://youtu.be/3cNDfgbvuto?si=rEjKZmixeGmg1f6B>
- Save the Children International, University of Oxford. [Advancing Justice for Children: Innovations to strengthen accountability for violations and crimes affecting children](#). March 2021. (Kavumu Case Study found on page 90-97)