

**EXECUTIVE SECRETARIAT  
INTERNATIONAL CONFERENCE  
ON THE GREAT LAKES REGION**



**SECRETARIAT EXÉCUTIF  
CONFÉRENCE  
INTERNATIONALE SUR LA  
RÉGION DES GRANDS LACS**

**Symposium on Access to Justice and Fighting Impunity of SGBV in  
the Great Lakes Region**

Victoria Serena Resort, Entebbe, Uganda  
7-9<sup>th</sup> July 2016

**Opening Remarks**  
**Amb. Zachary Muburi-Muita**  
Executive Secretary, ICGLR

- *Guest of Honour, Honourable Minister of Gender Labour and Social Development;*
- *Hon Mike Chibita, the Director of Public Prosecution, Uganda;*
- *Amb. Ibrahima Fall, the AU Special Representative for the Great Lakes Region;*
- *The Representative of the UN Special Envoy for the Great Lakes Region;*
- *Amb. Rossette Nirikindi, the ICGLR National Coordinator;*
- *Mr. Nathan M Byamukama, the Ag. Director, the Regional Training center on Prevention of Sexual Violence;*
- *Your Excellences, ambassadors from the various countries;*
- *Members of the Diplomatic Corp in Uganda;*
- *Senior members of the Civil Service in your respective countries;*
- *Distinguished Members and Representative of the Private Sector, Civil Society and Media here present;*
- *Ladies and Gentlemen;*

I am happy to be in Uganda today. As the Executive Secretary of the ICGLR, as this is my first engagement outside the ICGLR Headquarters, having only been appointed by the ICGLR Heads of State only last month (June) in Luanda Angola. I would like to thank the government and the people of Uganda for the warm welcome and hospitality since our arrival in this beautiful country, the Pearl of Africa. Let me also congratulate you, Honorable Minister and our Guest of Honour, upon your recent appointment as the Minister of Gender and Culture. We look forward to continued excellent collaboration between the ICGLR and your Ministry on matters of gender, including fighting sexual and gender-based violence.

We thank the Uganda National Coordination Mechanism represented here by my Sister, Amb. Rosette Nirikindi, for the invaluable support that Uganda has given the ICGLR in general and in particular to the Regional Training Facility since inception. Allow me to also thank Hon. Mike Chibita, the Director of Public Prosecution for accepting to honour our invitation. We will always count on you when it comes to implementation of the ICGLR protocols whose violations require prosecution, such as the ICGLR Protocol on Prevention and Punishment of Sexual Violence. This is in addition to the Protocol on Prevention and punishment of the

crime of Genocide, War Crimes, Crimes against humanity and all forms of discrimination; the Protocol on the Illegal Exploitation of Natural Resources and the Protocol on Judicial Cooperation. We look forward to working with you and your other colleagues from the ICGLR Member States so that we find best ways of enhancing justice for the victims of related crimes that our instruments prohibit.

We also wish to acknowledge with immense gratitude the African Union Peace and Security Department and the Office of the UN Special Envoy to the Great Lakes Region, both strategic partners who have supported the holding of this Symposium in all material ways. This reinforces our common objective and collective determination to eradicate these crimes that have bedeviled our communities. We hope to continue working together to stabilize our region and our continent so that the much needed development for our people can be sustained.

As many might remember, while responding to the UN Security council resolutions (1291 and 1304) of 2000, Amb. Ibrahima Fall, who is the current AU Special Representative for the Great Lakes Region, was the first to convene the first ICGLR conference in Dar es Salaam Tanzania in 2004. He thereafter was mandated to spearhead the process through to December 2006 in Nairobi, Kenya when the process gave us the Institution as well as the legal basis in form of the ICGLR Pact on Security, Stability and Development with its integral 10 protocols, one of which we will be discussing today. We are now sure that we have the enabling regional framework to resolve regional peace, security and development challenges. The challenges for the region were clearly identified in 2004 in the Dar as Salaam Declaration and the solutions agreed; we are now required to implement the instruments.

I would like to thank Mr. Nathan Byamukama, our acting Director for the RTF for his extemporary performance so far in bringing the institution to the required visibility in the short period of its existence. Since the inception and commencement of the ICGLR Regional Training Facility in 2014, he has striven to collaborate and work with partners, member states, the regional organizations, civil society organizations, Pan-African institutions and individual African experts to provide

highly interactive workshops and training sessions for discussions and exchange of best practices associated with the implementation of the ICGLR Pact and various instruments relating to SGBV, including the Protocol on the Prevention and Suppression of Sexual Violence against Women and Children, 2006 and the Kampala Declaration on Sexual and Gender Based Violence, 2011. I would therefore like to thank in particular the World Bank, the African Union Commission, UN-Women, the Office of the Special Envoy for the Great Lakes Region, the British High Commission in Uganda, the Office of the Special Representative of the Secretary General on Sexual Violence in Conflict, all who have so far provided support to the RTF. Together we will continue to support the transformation of the RTF into a Great Lakes, if not African, Centre of Excellence.

The setting up of the RTF is a landmark achievement for all countries of the Great Lakes Region and beyond. We believe that the attendance and participation of experts from non-ICGLR countries, such as South Africa, Madagascar, Chad, Guinea Bissau, Liberia, Libya, Somalia, Mali and Ivory Coast, is testament to the RTF's extreme relevance continentally and the ability to promote sharing of best practices, skills and competencies to eradicate SGBV in Africa and avoid spillover effects.

The RTF has a mandate that is extremely significant in eradicating acts of SGBV in the Great Lakes Region. Under the Protocol on the Prevention and Suppression of Sexual Violence against Women and Children, Member States agreed to set up a special regional facility for training and sensitizing judicial officers, police units, social workers, medical officers and other categories of persons who handle cases of sexual violence in the Great Lakes Region. We are happy Uganda was ready to host the Centre. In the same way Kenya hosts the ICGLR Multifunctional Youth Forum, Tanzania hosts the Regional Civil Society Forum, Zambia, the Levy Mwanawasa center on Democracy and Good Governance, Rwanda hosting the Regional Women Forum while DRC is hosting the Forum of Parliament, the Joint Fusion Centre and Joint Verification mechanism. We will build on the momentum that the RTF has generated in Uganda, and working with the Friends of the region, to ensure that it becomes a center of excellence in training to eradicate sexual violence.

**Honorable Minister, Distinguished participants, ladies and Gentlemen,**  
one of the principle objectives of the RTF is to facilitate training and sensitisation of the key actors in the criminal justice chain of service delivery as a means to combating impunity for sexual violence. I have been briefed that the RTF has held three major trainings; two for member of the police force (December 2014 and August 2015) and one for the military (2015), covering forensic management of SGBV cases (2014) and managing SGBV in conflict situations (2015) plus military justice system on SGBV (2015) respectively. As you can tell, the RTF is making focused attempts to identify some of the key issues and actors in ensuring justice for victims of sexual violence in a phased and prioritised manner.

The main intention of the Symposium is to foster the practice of participatory problem solving through a deliberative process of consultation, dialogue and accountability. In the coming days, it is our hope and expectation that this symposium will examine the issue of access to justice thoroughly. What is access to justice in the context of SGBV for victims and survivors, in this case women and children? It is well known and recognised in the Protocol on the Prevention and Suppression of Sexual Violence against Women and Children as well as the Kampala Declaration on SGBV that SGBV in times of peace, conflict and post conflict affects women and children the most. This is because they are specifically targeted as recruits (combatants), a source of labour, (forced labour and slavery) and as targets of sexual abuse and violation (as forced wives and mothers and sex slaves). Due to their vulnerability that is caused by unequal power and social relations these two categories tend to be disproportionately affected by SGBV in society.

Consequently, they are the most in need of justice mechanisms that are responsive to their problems and concerns and that resolve them in a satisfactory manner. And yet, conversely, studies have shown, including an ongoing RTF study on Access to Justice in the Great Lakes Region that women and children tend to be the most unlikely to resort to and access justice mechanisms, for various reasons. Over the next three days, we will hear various country presentations on the various experiences and challenges in this regard.

**Honorable Minister, Distinguished participants, ladies and Gentlemen,** ICGLR member states have strongly resolved to address the issue of SGBV as exemplified in the ICGLR framework instruments. It is true that despite the challenges, countries have begun to innovate and implement the ICGLR, AU and UN frameworks that are aimed at combating SGBV. There is evidence in almost every country of intent and progress towards combating impunity towards SGBV by perpetrators. We look forward to hearing from countries on these specific measures and benchmarking the good practices with a view to documenting them and incorporating them in the mandate and operationalization of the RTF functions and training manuals.

Before I conclude, there is one area I would like us to ponder as we fight sexual violence; how do we handle perpetrators? As all of us can testify, most attention by stakeholders is focused on survivors of sexual violence. Very little effort, if any, targets the offenders that we are either lucky to bring before the law or those that remain at large. Yet, this one sided approach partly contributes to unending impunity and incomplete change of attitude against the crime of sexual violence. If that change of attitude cannot be effected outside prison, then it must be effected in prison. People go to prison as punishment but also for rehabilitation. The nature and character of the perpetrators of the crime of violence, especially in rape and defilement cases, bring into question not only the mental health but the sociological history of the offenders, that need correction.

In addition, the criminal justice system's response to gender-based violence falls short of most countries' international regional and national obligations to prevent violence against children and women and to ensure their access to justice. Perpetrators still escape prosecution and punishment for their crimes. Those who come to prisons as punishment do not get correctional therapies related to their respective crimes.

It is not an exaggeration to state that in most of our countries, majority of the people in prisons are on sexual violence related crimes. Delays in the investigation, prosecution and adjudication of SGBV crimes, poor case handling methods including exhibit mishandling, poor statement recording, outdated evidential admission requirements to name but a few, lead to poor case outcomes for the victims. Those

released for lack of evidence return to repeat the crime and we keep treating the consequences not the cause. We must now return to the guidance of those who established the ICGLR. They had commanded in the Protocol on Prevention of sexual violence that Member States ensure that persons convicted of sexual violence are subject to social correction and rehabilitation whilst serving their sentences.(Art 5(2). This therefore implies an obligation on the part of the member states to correct and rehabilitate sexual violence offenders.We need to take this further and work with prisons officers to ensure that even those on remand are sensitized against the crime of sexual violence so as to avoid recidivism. I have already tasked Mr. Byamukama to work with Member States and respective Heads of Prisons on how we can implement this obligation. We will be calling on our reliable partners to support us in this endeavor.

Minister, Distinguished expert participants, ladies and gentlemen, your participation in this Symposium gives us great anticipation and delight, particularly given that you are all here in an expert capacity. We hope that the symposium will provide a real opportunity for the RTF to learn first-hand experiences from peer countries and experts about how they are addressing similar challenges, and suggest concrete tools and processes that could make the work of the RTF more targeted and responsive.

We look forward to drawing on your insights, information, experience and solutions that will enable us to collectively work towards ending impunity for SGBV in Africa. The outcome of this Symposium will be strategic recommendations and sharing of information including a Compendium on case law, as well as a publication on Access to Justice that will be shared on our website in time.

I wish us all good deliberations and successful outcomes.

**I thank you for your kind attention.**