

Regional Training Facility on
Prevention and Suppression of Sexual
and Gender Based Violence
in the Great Lakes Region



Centre Régional De Formation Sur
La Prévention et Suppression Des
Violence Sexuelles Basées Sur Le Genre
Dans La Région Des Grands Lacs

REPORT
**COLLOQUIUM ON DOCUMENTATION, INVESTIGATION AND REPORTING OF SEXUAL
VIOLENCE IN THE GREAT LAKES REGION**
5TH -6TH DECEMBER, 2016
LAKE VICTORIA SERENA GOLF COURSE, ENTEBBE, UGANDA



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ACROYNMS

CEDAW_ Convention on the Elimination of All Forms of Discrimination against Women

GIZ- Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (German Society for International Cooperation)

HIV/AIDS- Human Immune Virus- Acquired Immune Deficiency Syndrome

ICGLR -International Conference on the Great Lakes Region

ICGLR- International Conference on the Great Lakes Region

JLOS- Justice, Law and Order Sector

NICHE- Netherlands Initiative for Capacity development in Higher Education

PF3- Police Form Three (3UNSCR- United National Security Council Resolution

PRC - Post Rape Care

RIMC- Regional Inter-Ministerial Committee

RTF- Regional training Facility of the International Conference on the Great Lakes Region (ICGLR)

SGBV- Sexual and Gender Based Violence

EXECUTIVE SUMMARY

Over 130 Judges, lawyers, the police and military, medical practitioners, social workers, development partners and civil society from all 12 Member States of the International Conference on the Great Lakes Region (ICGLR) met at Lake Victoria Serena hotel, Kampala, Uganda from 5th to 6th December, 2015 for a regional colloquium on “Documentation, Investigation and Reporting of Sexual Violence in the Great Lakes Region”.

The colloquium was convened by the Regional Training Facility (RTF), an institution of the ICGLR, in collaboration with Population Council in Kenya, GIZ, FIDA-Uganda, and NICHE/MSM.

The Opening Ceremony was presided over by the Minister for General Duties in the Office of the Prime Minister, Hon. Mary Karooro-Okurut, representing the Minister for Gender, Labour and Social Development, Hon. Janat Mukwaya. The Closing Ceremony was presided over by Ambassador Rosette Nyirikindi, from the Ministry of Foreign Affairs, Uganda.

The major objectives of the meeting were: a) To provide a platform for sharing best practices and challenges in documenting and investigating sexual crimes to ordinary/non-technical stakeholders in the respective ICGLR member states’ jurisdictions; b) To identify training needs for different stakeholders for the RTF training materials and curriculum development to prevent sexual violence both in peace and conflict situations; c) To promote awareness about the ICGLR Protocol on the Prevention and Suppression of Sexual Violence against Women and Children as well as the International Protocol on the Basic Standards of Best Practices on the Documentation of Sexual Violence as a Crime under International Law; d) To develop a regional guidance note on utilization of the ICGLR Protocol on Sexual Violence and the International Protocol on the Basic Standards of Best Practices on the Documentation of Sexual Violence as a Crime under International Law; (e) To validate the RTF draft report on SGBV legislation, special courts and remedies in ICGLR member states; and (f) To promote awareness about human trafficking in women and children and mechanisms of combating it in the Great Lakes Region.

The 2 day meeting covered 2 best practice SGBV response models on documentation and screening; identified what is working well at country level as well as capacity gaps with respect to screening, investigation, documentation and reporting of sexual violence crimes; combating trafficking in women and children in the Great Lakes region; validation of RTF draft report on SGBV legislation, special courts, and remedies in ICGLR member states; as well as identification of training needs for respective actors in addressing sexual violence.

Human trafficking was cited as one of the least understood forms of sexual and gender based violence. It is quite unique because of the dimensions, drivers and many stakeholders handling are not familiar with it as a form GBV. There are also limitations in victim identification and response as most victims are so poor and would rather remain in the exploitative arrangement. This undermines cooperation with government and

stakeholders hence low prosecution of human trafficking crimes. The colloquium was in agreement on the need for regional mechanisms such as the creation of a Task Force and syndicates. .

At the end of the colloquium, the Kampala-Based Regional Training Facility (RTF) on prevention and punishment of Sexual violence headed by Mr. Nathan Byamukama unveiled a 4-year capacity building program supported by the Netherlands Initiative for Capacity Development in Higher Education (NICHE) and the World Bank. The capacity building program aims to train over 1000 trainers from 12 countries (member states of ICGLR) by the end of the project period. Training will target judicial officers, police, military, medical practitioners and social workers from ICGLR member states. The project will support the stakeholders to effectively and efficiently fight impunity of sexual violence through proper documentation, investigation and prosecution of sexual violence cases. Using a cascade model, RTF will recruit a select group of master trainers who will then train trainers at country level to step-down the SGBV trainings at country level. RTF hopes the capacity building programme will strengthen investigation, documentation, reporting and prosecution capacities of ICGLR member states as part of operationalizing the Protocol on the Prevention and Suppression of Sexual Violence against Women and Children (2006), the Kampala Declaration on combating Sexual Violence (2011) as well as other ICGLR legal frameworks.

In 2014, the ICGLR Member States established a Regional Training Facility (RTF) on prevention and Punishment of Sexual Violence based in Kampala, Uganda to train all stakeholders who handle cases of sexual violence on how to effectively and efficiently prevent and fight impunity of the crime.

1.0 INTRODUCTION:

The training-workshop took place on 5th -6th December, 2016 at Lake Victoria Serena Golf Hotel in Entebbe. The training team and the participants, except for the participants from the DRC and Central African Republic who arrived on 6th December, arrived at the venue a day before, on 4th December, 2016.

The Specific Objectives of the Colloquium were:

- (a) To provide a platform for sharing best practices and challenges in documenting and investigating sexual crimes to ordinary/ non-technical stakeholders in the respective ICGLR member state's jurisdictions;
- (b) To identify training needs for different stakeholders for the RTF training materials and curriculum development to prevent sexual violence both in peace and conflict situations;
- (c) To promote awareness about the ICGLR Protocol on the Prevention and Suppression of Sexual Violence against Women and Children;
- (d) Promote awareness of the International Protocol on the Basic Standards of Best Practices on the Documentation of Sexual Violence as a Crime under International Law;
- (e) To develop a regional Guidance Note on utilization of the ICGLR Protocol on the Prevention and Suppression of Sexual Violence against Women and Children on Sexual Violence and the International Protocol on the Documentation and Investigation of Sexual Violence in conflict: Basic Standards of Best Practices on the Documentation of Sexual Violence as a Crime under International Law (June 2014); and
- (f) To validate of the RTF Draft report on SGBV legislation, special courts and Remedies in ICGLR Member states; and
- (g) To promote awareness about human trafficking in women and children and mechanisms of combating it in the Great Lakes Region

Participants:

Over 130 participants that included; government representatives (ministers, ambassadors...) lawyers, medical personnel, police, judicial officers (judges, , social workers, civil society (FDA-Uganda, ICGLR staff from both Bujumbura and Lusaka offices, development partners who included, European Union, UN Women, MSM , academia and research institutions

Facilitator: Mrs. Florence Butegwa, a gender and development consultant from Uganda

Colloquium presenters:

Dr Undie Chi ;Senior Associate Reproductive Health Program, Population Council, Kenya; Susan Alupo, Refugee Law Project; Carol Ajema and Grace Wairimu of LVCT Health in Kenya; Rachel Ploem, Rutgers; Aloys Mahwa- Country Director, Living Peace Institute in Democratic Republic of Congo; Mr. Moses Binoga, Chairperson of National Task Force of Human Trafficking and Senior Police Officer with Ministry of Internal Affairs; Dr. Irene Ovonji Odida, Chief

Executive Officer, Association of Women Lawyers in Uganda (FIDA- Uganda); Mrs. Lilian Adriko-Byarugaba, Coordinator of trafficking at FIDA- Uganda

2.0 OPENING SESSION



Participants at the opening ceremony, 5th December 2016.

The opening session was presided over by Honorable Karooro-Okurut, the Minister for General Duties in the Office of the Prime Minister's Office. She represented Honorable Janat Mukwaya, the Minister for Gender, Labour and Social Development (MGLSD). The participants were also addressed by Mr. Nathan Byamukama, the Ag. Director of the ICGLR-RTF Kampala and Dr. Frank Okuthe, Director of the Lusaka Center of Democracy representing ICGLR Executive Secretary- Ambassador Zachary Muburi-Muita



Honorable Karooro-Okurut, giving opening remarks, 5th December 2016.

Honorable Karooro-Okurut represented honorable Janat Mukwaya, the Minister of Gender, Labour and Social Development. She underlined her passion for gender by saying that when the Honorable minister of Gender delegated her to attend the colloquium; she was greatly pleased because Gender- Based Violence (GBV) and gender matters are close to her heart. She informed the participants of her latest publication, which is in tune with the theme of the colloquium, called “The Switch”. She explained the choice of the title of the book by saying that when women fall victim of sexual crimes, many “switches” go off in their system and their life. The survivors suffer, Sexually Transmitted Diseases (STDs), Post Traumatic Stress Disorder (PTSD), those that become pregnant as a result of sexual violence end up dropping out of school or shouldering unplanned parenthood and many other negative consequences of sexual violence. She said that sexual violence has effects on victims as well as the community in which both the victims and perpetrators live.

She also expressed concern about the lack of understanding about SGBV and all its forms and manifestations. She said that it is not properly understood within our quarters. More than 50% of prisoners are on sexual- related criminal charges. She singled out sexual harassment as a growing violation. She mentioned that in offices women constantly have their bottoms touched and in schools there is a tendency to demand sexual favors in exchange for good grades, a phenomenon she termed as “sexually transmitted marks”.

She reminded the participants that the focus of this training is on two crucial aspects for successful prosecution of sexual crimes, ending impunity of perpetrators for sexual crimes and ensuring that victims and survivors get access to justice; and these are- documentation and investigation of crimes of sexual violence.

She emphasized that the colloquium is intended on bring together experts for documenting and investigating crimes of sexual and gender based violence because, “... **if you mess up with any of these processes you will have messed up with justice for the survivors and strengthened impunity of perpetrators**”.

She informed the participants that the government of Uganda is committed to eradicating sexual violence. She pointed out a number of policies and laws in place, most of which were spearheaded by the Ministry of Gender across twelve (12) institutions. She boasted of the preventive strategies embedded in the Uganda National Development Plan II and the Peace, Recovery and Development Programme for Northern Uganda II. She listed a number of laws such as the Domestic Violence Act 2010, the Female Genital Mutilation Act 2011, and Anti Trafficking in Persons Act as well as a Comprehensive Action Plan to implement the United Nations Security Council Resolution 1325 on women, peace and security. She also pointed out efforts by government to finance implementation of the laws and other SGBV programs through a resource mobilization and capacity building strategy.

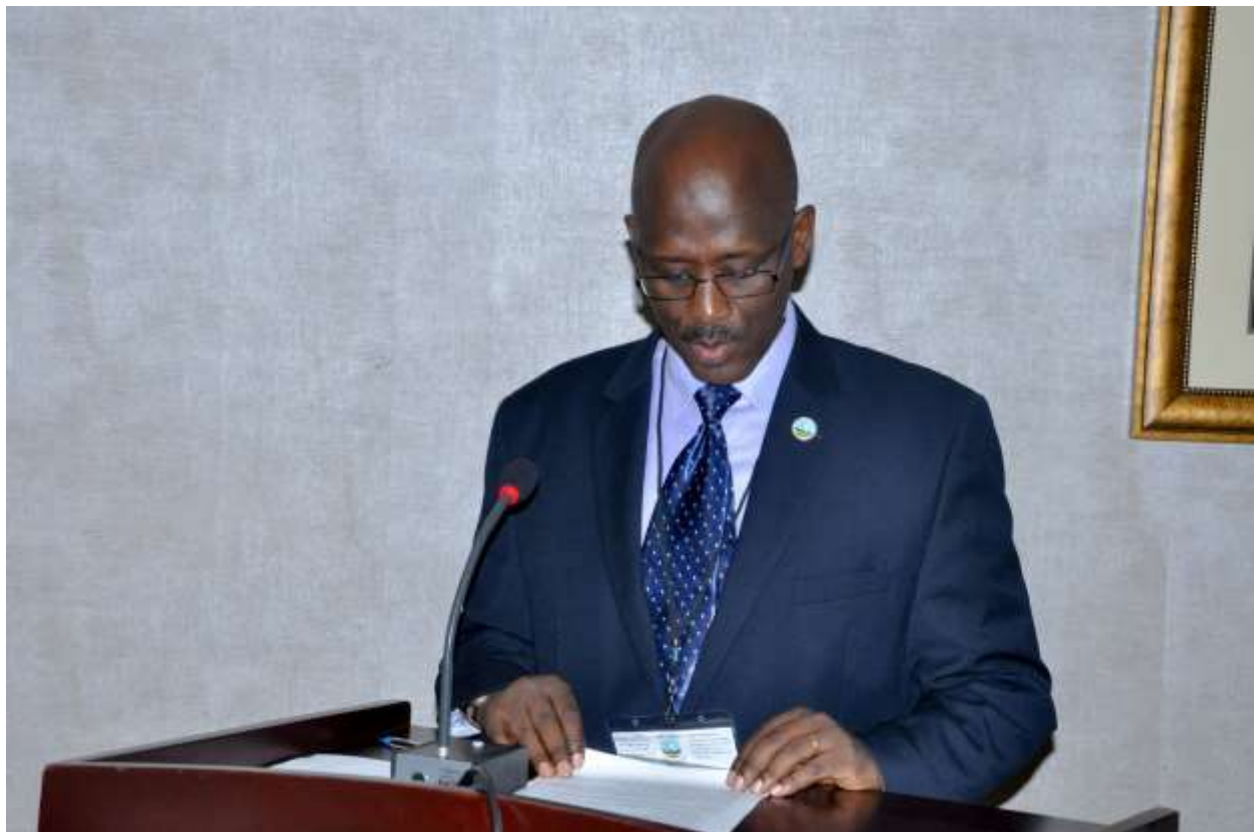
The minister called on more support to the RTF and encouraged members to use the RTF facility and made a pledge that GOU will avail the necessary resources it needs to allow it to fulfill its mission.

The participants were also addressed by Dr. Frank Okuthe – Director of the Lusaka Center of Democracy representing ICGLR Executive Secretary- Ambassador Zachary Muburi-Muita. He thanked the government of Uganda for the good welcome to the Pearl of Africa. He congratulated the Minister, Honourable Karoro-Okurut, on her new appointment as Minister of General Duties in the Office of the Prime Minister and expressed interest in continued collaboration between ICGLR-RTF and the minister. He extended his gratitude to the Uganda national coordination mechanism of the ICGLR and partners and friends who support implementation of the PACT on Peace and Stability in the Great Lakes Region saying that their support reinforced their common objective. He thanked Mr. Byamukama for his exemplary performance, noting that since the inception of RTF, Mr. Byamukama has organized and facilitated highly interactive sessions associated with the implementation of the ICGLR PACT.

He reminded the participants that under the ICGLR Protocol Member States agreed to set up a Center that should innovate and support implementation of the protocol on the Suppression and Prevention of Sexual Violence. He underlined the role of all stakeholders within the complex chain of service delivery in crimes of sexual violence.

He pointed out that despite the strong resolve of ICGLR member states to address SGBV, the criminal justice system's response to gender based violence falls short of international, regional and national obligations. More needs to be done to address the impunity of perpetrators who escape prosecution and punishment because of ineffective and inefficient execution of institutional mandates. He pointed out the colloquium was taking place during the annual 16 Days of Activism to End Violence against women.

Lastly, he thanked member states for their participation in the colloquium which would help the ICGLR-RTF record first hand experiences from experts in the region, and wished them good deliberations and successful outcomes.



Mr. Nathan Byamukama, the A.g Director of the RTF giving opening remarks

Mr. Byamukama Nathan, the Acting Director of the International Conference on the Great Lakes region- Regional Training Facility (ICGLR-RTF), also welcomed all the participants to the colloquium and extended his gratitude to Population Council, based in Kenya, GIZ, World Bank, FIDA-Uganda, and MSM for the support given to the ICGLR –Regional Training Facility (RTF) to convene the colloquium. He voiced appreciation of their partnerships and continued technical and financial support. He also extended his thanks to the Ministry of Gender, Labor and Social Development (MGLSD) and the Ministry of foreign Affairs through which Uganda conducts her

business for the ICGLR (International Conference on the Great Lakes Region) and its decentralized organs such as the Regional Training Facility on Prevention of Sexual Violence.

He pointed out that sexual crimes are the least prosecuted crimes and that all the participants present play a key role in ensuring that the much needed evidence in prosecuting these crimes is collected, made available and above all is relevant in connecting the perpetrator to the violent and inhuman act. He was optimistic however, because of the demonstrated political will by ICGLR member states, the enabling legal instruments to prosecute crimes of GBV, as well as comprehensive set of best practices and principles in collecting testimonies or statements from survivors and witnesses, especially in circumstances of war and conflict. The practices and principles are carried in the International Protocol on the Investigation and Documentation of Sexual Violence in Conflict. He stressed the importance of this, given that the Great Lakes Region is hot spot of conflict, and the difficulties this poses to collecting evidence and conducting transparent investigations.

He mentioned the fact that all twelve Member States of the ICGLR have embarked on gender responsive institutional and legal reforms in order to enhance access to justice for survivors and to end impunity of perpetrators. In order to take stock of what is happening at the national government, the Regional Training Facility had commissioned a desk research to ascertain the status of Sexual and Gender Based Violence legislation, Special Courts, sessions and procedures for handling sexual violations and remedies available for survivors in each country. It is these summary findings that the colloquium was to validate.

He further mentioned that ICGLR-RTF, with support from the World Bank and NICHE launched a training needs assessment in all the twelve member states. The assessment focuses on capacity needs for the police, military, social workers, medical personnel, judicial units and other categories of people that handle sexual violence, such as civil society and the media in the Great Lakes Region.

He expressed hope that these efforts of the ICGLR-RTF would result in strengthened capacities to provide trainings and other technical support to Member States in handling gender-related crimes in the region. The Regional Training Facility is one of the institutions, within the wider regional peace and security framework of the ICGR with the sole mandate to hone expertise in management of sexual crimes in the region.

He implored the participants of the colloquium to remember that sexual violence is a result of a very dangerous attitude towards some members of our society, mostly women and girls. It is largely a product of low value and meaning attributed to women and girls.

He expressed the belief that the engagement over the next two days on investigating and documenting sexual violence cases would generate innovative and practical methods of improving evidence and thereby justice for victims.

3.0 UNDERSTANDING EXISTING REGIONAL AND INTERNATIONAL INSTRUMENTS ON SGBV

This session focused on a presentation of key frameworks that govern prevention and prosecution of sexual violence in the Great Lakes region. It was intended to provide participants with a context and rationale for their work and that of various implementing agencies on sexual violence in the Great Lakes region. A detailed presentation of regional and international instruments was made by Mr. Nathan Byamukama of RTF.

In opening, he said that there are many international conventions such as the UN Charter (1948), UNSCR 1325, UNSCR 1820, Genocide Convention (1948), CEDAW (1979), General Recommendation No 19 on Violence Against women, Maputo Declaration, Protocol on Prevention, Suppression and Punishment in trafficking in Persons especially women and children, but that he would largely focus his discussion on legal instruments of the Great Lakes Region.

He pointed out that conflict exacerbates sexual violence against women and children. Moreover, out of all the 12 member states of the ICGLR, only two have never experienced armed conflict since their independence. The rest are either in conflict, emerging from one or have experienced one before. He noted that the nature, form and extent of sexual violence in conflict is different from peace times. He further made the point that all participants in the colloquium ought to be concerned about sexual violence because everyone is accused, the military, peace keepers, national SGBV response officers, justice system and individuals. At the same time, sexual violations are among the highest committed crimes in the region. Approximately 50% of prisoners in the region are on sexual related charges.

He underscored the significance of the ICGLR PACT. He said that it has had the highest level of ratification by the Great Lakes region Member States. It was signed in Nairobi 2006, and by 2008 almost 85% of Member States had ratified it, “so you can see the level of commitment by the Heads of State in the region”, he added. The Pact on Security, Stability and Development in Great lakes region (2006) and the protocols and declarations therein contain provisions that criminalize, punish and provide for regional mechanisms for justice, including follow-up, reparations, surrender which can be pursued through diplomatic channels for repatriation of perpetrators of sexual violations, including sexual slavery and exploitation of women and girls.

He highlighted some of the provisions of the Protocols such as ; Article (3) of the Dar-es-Salaam Declaration (2004); Article (6(9)) of the Protocol on the Prevention and Suppression of Sexual Violence against Women and Children (2006), ICGLR Protocol on Judicial Cooperation (2006), ICGLR Protocol on Non-Aggression and Mutual Defense (2006); Protocol on Prevention and punishment of the Crime of Genocide, war crime and crime against Humanity and all Forms of discrimination (2006); Goma Declaration (2008); Kampala Summit Declaration on SGBV

(2011); Kinshasa Communiqué (July 2012); Regular and special Regional Inter-ministerial Committee decisions on SGBV.

He spoke to the close linkage of the regional strategies to sexual violence with natural resource exploitation and unemployment in the Great Lakes region under the auspices of the Kampala Declaration, 2011.

He underlined the role of women and civil society in securing commitment of Member States to address sexual violence in the region in his reiteration of the genesis of the Kampala Declaration of 2010. He recalled in particular the proactive role of the First Ladies of the republics of Zambia and Uganda. He pointed to the ICGLR Regional Women Forum which, on 15 December 2010, requested Heads of State for a Special Summit on SGBV that culminated in the Kampala Summit and subsequent Kampala Declaration that contains 19 decisions spanning areas of prevention, ending impunity, service provision for survivors of sexual violence, and other general resolutions. The Declaration calls for the establishment of special courts, procedures and sessions, a special fund for reconstruction and Development, “ fast track” recovery centers, media strategy to combat sexual violence. Mr. Byamukama singled out the initiative with African Development Bank on the matter of the special Fund for medical, legal and social response for survivors and victims of sexual violence. He noted that the Mwanawasa Center for Democracy, Good Governance, Human Rights and Civic Education at the in Lusaka to address prevention side, especially of conflicts that result in escalated sexual crimes against women.

In conclusion, he stated that the obligation to follow up now lies with the ICGLR secretariat through the National Committees and Coordinators. He explained the regional follow-up mechanisms for the Protocol as being spearheaded by a Summit of Heads of State then RIMC, a Conference Secretariat and then at country level you have national coordination mechanisms.

3.1 CHALLENGES IN ACCESSING JUSTICE UNDER THE REGIONAL INSTRUMENTS

Mr. Byamukama underlined that legal frameworks and political will exist in the region; but the efforts of the ICGLR Heads of State are hampered by different sector ministries and implementing agencies hence the reason for the colloquium. He emphasized that without clear scientific, legal acceptable investigations and documentation; there can never be justice for the survivors. Magistrates and judges are put in a very difficult situation to dismiss sexual violence cases because of inadequate evidence. He referred to the numerous expressions of frustration by the President of Uganda at the release of criminals as well as to the explanations that the judiciary provide saying, “but we do not have the necessary evidence”. It is important that all sectors speak to each other i.e., medical, police, and judicial. Incapacity of the health and police

sectors to effectively investigate sexual violence cases undermines justice for survivors. This is owing to the fact that often times they are ill-equipped, and in other instances, there is low empathy for the survivor, disconnection between the health institutions and the courts and generally insufficient resource allocation to sectors that handle SGBV.

He also pointed out a rising phenomenon of case withdrawals mainly as a result of family and cultural pressures that greatly undermine legal justice for the survivors. He also noted that where courts have ordered reparations, survivors have not been compensated. As well, the issue of reparations and Reparations Commissions remains controversial in the region. He made reference to the Fund for Reconstruction and Development that has never been established by the African Development Bank pursuant to the ICGLR frameworks respect to time frame within which prosecution takes place. He mentioned that Article (5) of the ICGLR Protocol on the Suppression and Prevention of Sexual Violence against Women and Children requires perpetrators of sexual violence to undergo rehabilitation. However, where these programs exist they are unsuitable for the purpose. He gave the example of the common vocation training programs in prisons such as tailoring. There is no link between the skills development program and rehabilitation of sexual offenders. He went on to emphasize the need for the ICGLR training curriculum to include modules for people in charge of rehabilitation development.

3.2 QUESTIONS AND DISCUSSIONS EMANATING FROM THE SESSION PRESENTATIONS:



Some of the participants during a group discussion

There were a couple of questions and comments that came out of the discussion which included the rationale behind calling the Instrument a PACT and the extent to which the PACT is legally binding. As well, there were concerns about how the activities stipulated within the protocols would be financed.

Participants also sought clarification on the structure and workings and efficacy of the National ICGLR Committees.

It was clarified that The PACT on Security, Stability and Development in the Great Lakes region (2006) is a binding instrument. It is in line with Conventions. It has the highest record of ratification in the Great Lakes region, hence evidence of existing political will and commitment. The PACT came about as a result of a regional process in 2004 where ICGLR Member States identified four pillars in the region that needed concerted effort and these are: Peace and Democracy, Regional integration and economic development and social... It is here, under the social pillar that over ten (10) have been developed. The intention was to have all these protocols put under a PACT that is meant to be binding. Reference is made to Article 3 of the PACT and Dar Declaration that was agreed under the Democracy pillar as well as the , programs of Action and Fund it is legally binding.

Participants were also pointed to Art 24 (6) of the PACT which states that contributions shall come from member states and willing partners and friends. It was emphasized that financing of the Protocol activities stems from a collaborative effort.

With respect to operation of the National Committees, participants were informed that Heads of State meet every 2 years however they also meet under extraordinary circumstances for example in 2 months Uganda convened 21 summits and that meant that national coordinators met just as many times. The Conference Secretariat meets every 6 months. In member states they meet when they want depending on the various pillars/ areas. At country level, there are different mechanisms coordinated by the Ministry of Foreign Affairs.

There are a couple of structures to address sexual violence at national level; we divided ourselves up in different teams for greater effectiveness. For example, we have a youth forum, women and civil society fora.

4.0 SAMPLING OF REGIONAL RESPONSES EMANATING FROM THE INTERNATIONAL PROTOCOL

The objective of this session was to specifically introduce and discuss a critical international instrument in documenting and investigating sexual crimes in a conflict setting-the Protocol on the Documentation and Investigation of Sexual Violence in Conflict. . The Protocol emphasizes sensitization and training all stakeholders. It also obliges ICGLR member states to “establish legal and medical procedures for assisting victims and survivors of sexual violence”.

4.1 PROTOCOL ON THE DOCUMENTATION AND INVESTIGATION OF SEXUAL VIOLENCE IN CONFLICT

Ms. Alupo gave a quick introduction about Refugee Law Project. It is a program of the Makerere Law School. She said that 7 out of 10 of women received by Refugee Law Project screen positive for sexual violence as compared to 5 out of 10 males.

In introducing the protocol, she said it is a legal instrument based on legal consultations that started in 2012. It is intended to capture exiting best practices in documenting and investigating sexual crimes in order to assess gaps and challenges as an international community. The resulting document from these consultations can be used for both preventive and accountability purposes, i.e., in the form of criminal prosecutions, human rights litigation against state and non-state actors, reparation claims for survivors and witnesses of sexual violence. It can be sued by legal practitioners, social workers, medical practitioners, legal practitioners, security agents.

She noted that the manner in which the information is assessed and methodology in documentation are key in ensuring integrity in the evidence and protection of the beneficiary

community. Information can be used as evidence in court when properly documented thereby increasing justice for survivors.

She noted the increasing demand for legal justice by saying that while Refugee Law project may at times offer immediate SGBV services to the survivors, many of them come back demanding for accountability for violations.

Some of the key principles in documentation highlighted in the Protocol include; do-no-harm principle, the use of a well-trained and professional documentation team that is well aware of the need to obtain consent from both the survivors and witnesses, conversant with the context, need for a risk assessment, including to the documenter and other survivor assessment such as survivor fatigue, re-traumatization arising from re-documentation, community retaliation or rejection, services already assessed by the survivor. The Protocol underscores the importance of documentation planning that takes into account preliminary considerations such as the purpose for documenting, outcomes for the survivor for example where justice is the main objective of the survivor, there should be compromises stemming from forced reconciliation such as is the case with some traditional community reconciliation rituals/ mechanisms. While in Northern Uganda traditional reconciliation mechanisms worked well and replaced the need for litigation, survivors should not be forced to pursue this line if they want legal justice. Ms. Alupo also emphasized the importance for research for additional sources of information on the scope nature and parties involved in the context within which sex violations happen. Participants were pointed to the Evidence Work Book in the Protocol for possible ways to formulate questions by the documenter.

Challenges of Protocol

Ms. Alupo note that the Protocol is non-binding, there is limited knowledge about the protocol. Medical forms and used medical certificates

Facilitator's comments on the session

Mrs. Butegwa mentioned that in as much as the protocol is non-binding, there are principles therein that can be taken up in the national contexts and not only when dealing with documentation of crimes for purposes of prosecution in courts of international law. Such as the principle of do no harm (protecting victims from continuous trauma etc.) The protocol is adaptable and usable at national contexts even in peace time. The same principles in the Protocol can be applied for purposes of criminal prosecutions. The facilitator assured the participants that a soft copy of the protocol will be shared on the flash works better in absence of internet connectivity.

The facilitator underlined that the focus of this session was on the regional responses coming out of using the international protocol.

5.0 INTRODUCTION TO RESPONSE MODELS

This session was introduced by Dr. Chi Chi Undie who works with the Population Council, in Kenya. The session gave a general overview of two models of response to sexual violations that Population Council is running in Uganda and Kenya. The two models are:

a) Multi-sectoral training model on key common referral documentation and investigation forms. This model was:

- developed by Population Council
- inspired by lack of coordination within the context of a multi-sectoral response approach which resulted in a disconnect in terms of training approaches and modules used
- adopted as a national referral mechanism with common referral tools, follow-up mechanism for survivor and for the evidence

b) Screening for sexual violence model. This model aims to identify survivors through both direct and indirect screening tools.

Annex 2 of International Protocol emphasizes a multi-sectoral response to sexual violence and that Article 6 of the ICGLR Protocol recommends the establishment of medical and legal procedures by Member States to assist the survivors and victims of sexual violence.

She mentioned that the key principles of do-no-harm and skills training underpin the documentation processes under both response models. Specifically, with respect to Model 2, the International Protocol recommends both indirect and direct identification of survivors through screening.

Presentations of sexual violence response models were aimed at inspiring countries and eliciting opinions about their own response to sexual violence models and to find out what countries want to do with the models in their respective countries.

First she introduced Population Council. She said it is a research organization that generates ideas and undertakes research to support those ideas and thereafter tries to ensure that those ideas do create impact. She quickly introduced the work and partners of the Population Council on SGBV in East and South Africa. She listed 5 different countries that form SGBV network of partners of Population Council. They include; Kenya, South Africa, Swaziland, Uganda and Zambia.

She then proceeded to preface the presentations on Response Models 1 and 2 with a quick context in which the participants were going to work with the models in their respective country- utilization discussions. She underlined the important fact the case studies on multi-sectoral response and screening they were about to be presented with from SGBV response in

Kenya and Uganda were in line with the International Protocol on the Documentation and Investigation of Sexual Violence in Conflict (2014) and the ICGLR Protocol on the Suppression and Prevention of Sexual Violence against Women and Children (2006).

5.1 RESPONSE MODEL 1: DOCUMENTATION, INVESTIGATION AND REPORTING : A CASE STUDY FROM KENYA AND UGANDA

Presentations for this session were made by Ms. Carol Ajema and Ms. Grace Wairimu of LCVT Health. The presentation was delivered in two parts. The first part constituted an introduction to LCVT health, rationale for the multi-sectoral approach to documentation and investigation. This presentation was delivered by Ms. Carol Ajema. The second part centered on a presentation on sexual violence training approaches within the multi-sectoral response model in Kenya. This session was delivered by Ms. Grace

5.1.1 INTRODUCTION TO THE WORK OF LVCT HEALTH AND MULTI-SECTORAL APPROACH

Ms. Ajema stated the LVCT is an NGO that uses research, capacity improvement, including strengthening of health systems, and policy reform actions for equitable HIV, sexual and reproductive health services.

The NGO's programming approach is informed by the Hatua Model that focuses on research, policy and practice.

The response model is a multi-sectoral approach and spans 6 areas of interventions, mainly: - clinical management; police investigation; prosecution; provision of immediate and long-term psycho-social support; Social services.

The approach is geared towards fostering shared provider understanding, through the use of common training modules in order to ensure quality of care in the overall service delivery.

Prior to the adaption of their approach, there were challenges in standardization of forms used to collect information from survivors/victims, provider capacity and referral tools. These challenges were a result of a disconnection in terms of training approach by the different stakeholders (health, police etc.) Most providers were not conversant with the guidelines for filling the medical/legal form and there was little understanding of the importance of management of forensic evidence.

It was noted that more often than not, poor documentation of crimes of SGBV results in poor evidence which results in *no justice*.

National referral mechanism with common referral tools

Training on referral tools focused on those individuals whose day to day job is collecting and documenting of evidence (for example health workers who are sometimes first person of contact and police officers)

Training Approach/Model utilized:

- Sector specific curricula on management of survivors of sexual violence
- Separate trainings for providers (police and health workers) despite their complementary roles in management of survivors

Components of the training model:

The objective of the multi-sectoral training was to equip police officers and health providers with knowledge of their role in providing PRC services including proper documentation on PRC and P3 forms.

The modules of the training covered:

- Forensic examination
- Proper handling of evidence
- Utilisation of the national PRC and P3 forms for documentation of evidence collected
- Referrals between the police and health facilities.

Impact of the training:

There was considerable improvement in the extent to which health care providers were documenting evidence and there was a reduction in the movement of survivors across service delivery points because of the provision of locally assembled kits.

Adaptation of the training model by the Kenyan government:

Owing to the successful application of the pilots, the response Model was adopted by

- a) The Task Force-Sexual offences implementation Task Force- 2013- commission to understand gaps in policy and service attainment
- b) Model focused on health and police
- c) Task force focused on community as well
- d) Informed the development of the SOP
- e) This work has been taken up by the National Gender Equality Commission

5.1.2 DISCUSSIONS EMANATING FROM PRESENTATION ON RESPONSE MODEL 1

During the discussions, a participant from Congo sought clarification on the issue of the police forms (P3/PRC forms) which were discussed in the model. It was explained that the forms should be filled in triplicate, which would allow the police, health facility and the survivor/victim to each have a copy for reference.

Participants were also curious to know the statistics about how many women in the region were victims of sexual violence. It was explained that based on the GBV screening tools used, it was estimated that 7 out of 10 women in the region had experienced sexual violence of some form.

Another observation during the discussions was that as victims and survivors are interviewed by different people, sometimes there are inconsistencies in their stories which might hamper the proper documentation of the crimes. It was suggested that as a remedy, psychosocial counseling could be provided to victims/survivors so that they have better recollection of the traumatic experiences they have had, which they sometimes suppress subconsciously.

5.2 RESPONSE MODEL 2: IDENTIFYING AND DOCUMENTING SEXUAL VIOLENCE THROUGH SCREENING BY MEDICAL PERSONNEL: A CASE STUDY FROM KENYA AND UGANDA

This session was led by Dr. Chi Chi Undie from Population Council. The objective of the session was to introduce participants to the context-appropriate screening interventions for the purposes of documentation, referral, and SGBV survivor services.

Why screen?

Dr. Undie noted that a lot of crimes of sexual violence are unreported, and that victims/survivors often do not have a way of expressing what has happened to them unless prompted. This resulted in the development of the screening model. She gave examples of testimony of some survivors who described the weight lifted off their shoulders after being able to open up during screening.

Dr. Undie noted that the screening tool had been used in different contexts so far, both in peace times and in conflict with both females and males being screened in health facility settings

She explained how health service providers were taken through a one day training programme on carrying out routine screening for intimate partner violence and gave a sample of some of the screening questions:

- Are you currently in a relationship with a person who physically hurts you?
- Have you ever been forced to have sex with someone that you were not in an intimate relationship with?

She mentioned that after screening survivors received SGBV services such as counseling or supportive referral and that the survivors' testimonies were documented

How does screening impact identification and documentation?

Dr. Undie showed statistics that demonstrated that the screening tool had a positive impact during its use at Kenyatta hospital (peacetime setting) and at Rwamwanja Settlement in Uganda (conflict setting). There was a marked increase in people referred for SGBV services and care.

How does screening impact the survivor?

Dr. Undie again gave examples of testimony from survivors who found relief at last from carrying their dark secret of abuse/sexual violence. She stressed how positive this impact was for survivors and that also the documentation of their abuse gave them a greater chance of accessing justice.

Dr. Undie said the model carried vast potential for adaptation across the region. New providers could be identified to receive the screening tool; new screening sites could be set up in different areas; and new multi-sectoral linkages could be developed, such as offering of legal aid to survivors who are screened.

DISCUSSIONS FOLLOWING PRESENTATION:

Participants inquired on how people were selected for screening and also on whether the screening had been tried in the community. Dr. Undie responded that it is best to carry out the screening in a place where people can get services if required, and thus doing it in the community might not be so effective. Also doing the screening at a health service center might allow the women to speak more freely, as opposed to doing it in the community, where the abusers might be present.

When asked about any negative side to the screening, Dr. Undie noted that social norms were sometimes an obstacle, but that the people carrying out the screening were had to be properly trained so as to ask the necessary questions without offending the interviewees.

Participants also inquired as to whether there were specific things that screeners looked for before approaching someone to be screened. In her response, Dr. Undie explained that by carrying out the screening routinely, it eliminated the need to look for triggers which may otherwise be missed.

6.0 COUNTRY LEVEL PROPOSALS OF APPLYING THE MODELS

Participants were requested to hold discussions within their respective country groups for the purpose of identifying issues raised in the presentations of the two response models and to prepare presentations for the plenary highlighting the extent to which international norms and standards were being upheld in their country response models to sexual violence and to what extent the response models 1 and 2 were adaptable to their specific country contexts and work on sexual violence

The facilitator provided the following questions to guide the participants in their discussions and presentations back to plenary;

1. What would need to be done?

2. What gaps did the model bring to mind when thinking of the role of the police and the health providers in, investigating and reporting sexual violence in your country?
3. To what extent would you say this model is adopted / adapted for use in your country
4. What main resources would be required for this model to be adopted for use in your country
5. Which ministry should be the lead if this model be adopted for use in your country?

Country responses to the following questions regarding Model 1

Does the model exist at country level?

Zambia, Sudan, Kenya and Rwanda delegates said the model existed in some form in their countries. South Sudan reported that no such model existed in their country.

What are the gaps with this model?

One gap mentioned by many countries was cultural norms making it difficult for people (police/health) to openly ask for the information required to investigate and prosecute sexual crimes. Another gap mentioned was that in many countries, collection of evidence was sole domain of the police and that medical workers would need to be trained to ensure that they too can collect important evidence to document and prosecute crimes of sexual violence.

To what extent would you say this model is adoptable?

Most countries responded affirmatively saying the model could be adapted in their respective states. Some hurdles still exist, such as in Sudan, where it was reported that medical reports are confidential documents that can't be used in court as evidence.

What main resources would be required for this model?

Legal reforms would be required for this model to be effectively rolled out across the region. It was suggested that a manual of Standard Operating Procedures be developed so as to have uniform training for health/police and other service providers across the region.

Which ministry should take the lead?

Country delegates suggested that their respective Ministries of Gender take lead on this issue with close collaboration with Ministries of Justice.

Country responses to the following questions regarding Model 2

Does the model exist at country level?

The model only existed in some form in Kenya and Uganda (where it was called "Case Identification"). In other countries, it would need to be developed and adapted.

What are the gaps with this model?

Country delegates noted that the screening mainly focused on women and this could be a gap with men also being victims though not at same proportion as women. Also, a lack of trained personnel to carry out the screening. Sometimes, people are only screened after presenting at the health provider for other problems so this may not effectively identify victims

To what extent would you say this model is adaptable?

Delegates reported that the model is largely adaptable, but care should be made to the screening criteria so that all forms of violence are asked about, not only violence between intimate partners. It was also noted that services should be readily available to those who are positively screened. It was also noted that the police may also be trained to screen for sexual violence when investigating domestic/family related crimes.

What main resources would be required for this model?

Delegates noted that most health providers would need facilities to conduct discreet interviews. Training of health workers on how to properly carry out the screening would need to be conducted in addition to development of manuals. Safe havens for survivors and witnesses would need to be established. It was suggested that specialised SGBV clinics be set up at major health centers.

Which ministry should take the lead?

It was generally agreed that ministry of health should take the lead in implementing this model.

NB: A synthesis of the results from this exercise have been organized into a matrix and annexed to this report as Annex 3

7.0 HUMAN TRAFFICKING AS SEXUAL VIOLENCE: COMBATTING TRAFFICKING IN WOMEN AND CHILDREN IN THE GREAT LAKES REGION

The session was moderated by Mercy Munduru the senior advocacy officer for FIDA-Uganda. Session discussants covered four areas of trafficking. These included; a general over view of human trafficking within the context of human rights and led by Ms. Irene Ovonji- CEO FIDA-Uganda, GBV, approaches to human trafficking and interventions at the national level by Mr. Moses Binoga- Chairperson, National Task Force on Human Trafficking, and regional approaches by Ms. Lillian Adriko from FIDA Uganda.

General overview of trafficking as human rights and GBV issue

Ms. Ovonji began with a quick introduction about FIDA- Uganda. She mentioned that is an NGO that has been operating in Uganda for more than 42 years. Human trafficking is a growing GBV

issue in Uganda and is one of the key program areas for FIDA for three years now. It is quite unique because of the dimensions, drivers and many people handling not familiar with it as GBV. Most of the organizations that deal with SGBV are not familiar with trafficking as a component of SGBV.

She pointed out vulnerability as a critical driver of trafficking. Specifically, she listed vulnerability of the individuals; institutions such as family and community networks; vulnerabilities in state institutions like police, judiciary. High levels of unemployment amongst the youth (80%) exacerbate vulnerability as they are lured by prospects of greater opportunities. Economic justice is a social push factor.

She blamed this increasing risk to de-regulation of the labour sector. There is limited protection of people from exploitation. Only 40 districts out of approximately 112 districts have labor officers. She underlined trafficking as a growing global challenge especial. She singled out conflicts as another driver. Migration is poorly managed as a result migrants, especially women are exposed to trafficking. There is need for policy interventions both at international level in terms of regulations and policies and also the instruments dealing with trafficking. For example, to what extent can we utilize the East African laws to operationalize cross-border approaches to trafficking in the region?

Ms. Ovonji spoke to gender dimensions of human trafficking. To what extent is there consideration of the unique challenges women face in the issue of trafficking? She stated that any given program dealing with trafficking must recognize these issues to allow people to deal with these gender dynamics. She made mention of “markets” in western Uganda where Rwandese women are sold to the highest bidders. She requested Mr. Binoga to provide the colloquium with an update on this phenomenon. State institutions such as the ministry of gender need support. These institutions that deal with this issue care often under-funded, which needs to change to enable them to effectively combat these issues. Just as well, space for civil society organizations is important. A lot of the shelters for victims/survivors of SGBV are run by CSOs and not state institutions. However we must be cognizant of and concerned by the shrinking space within which CSOs are operating as a result of laws that stifle their activities such as the Public Order Management bill.

At a regional level, the African Union has recognized that there is a need to curb the illicit flow of funds from Africa (tied in to trafficking etc.)

Approaches to human trafficking and interventions at the national level

Mr. Moses Binoga gave a quick introduction to the National Task Force structure. It was established by law (Anti trafficking in Person Act) which provides that an office should be created for the purpose of monitoring and countering human trafficking. The Secretariat is based at the Ministry of Internal Affairs, there is an inter-agency task committee constituted of

senior technical officers from ministries and civil society, directorate of immigration, justice, police (CID, community policing affairs), CSOs, gender ministry. He underlined that the Taskforce committee is strategic not operational

He too pointed out the gender dimensions to human trafficking noting that women's gender roles disproportionately expose them to human trafficking, Most young women are tricked to travel for work abroad as domestic workers, waitresses, masseurs and are instead forcefully sexually exploited.

Mr. Binoga explained that the Task Force has a victim identification strategy operated through an internal ad hoc referral arrangement. First survivors/ victims are presented to his office, following which they are referred to other stakeholders along the chain for SGBV services such as counseling, shelter and reintegration. He reiterated the challenge of shelters in the SGBV service chain. The government does not run shelters so the Task Force relies on CSOs, and International Office for Migration (IOM). He highlighted Uganda's efforts in applying a multi-sectoral approach, which is largely dependent on good will of stakeholders involved. He informed the colloquium that the Task Force intends to take out memoranda of understanding with various service providers/ stakeholders for survivor referral purposes.

He also spoke to limitations on survivor services. He gave the example of work migrants who are trapped in exploitative work contracts abroad. He said the government does not have full control over them given that it does not run a shelter. In some cases the victims do not cooperate with government because they are in dire need of finances so they keep in the exploitative arrangements so corroboration of evidence becomes a challenge. This accounts for low prosecution rates. Take for example in 2013, through concerted effort over 100 cases registered at police, only 32 case files taken to court, and just 14 involving 117 suspects were secured.

Regional Approaches to Human Trafficking

Ms. Lilian Byarugaba-Adriko mentioned that most of the issues and dimensions of human trafficking have been touched on by the previous panelists. She noted that she would reiterate some issues such as conflicts, poverty and labor and gender dimensions such as women markets in Masaka district. She noted that within the region, human trafficking is exacerbated by the fact of porous borders. She noted that there is need to utilize the mandates of the respective stakeholders attending the colloquium. Already, there are regional legal frameworks such as the East African Legislative Assembly and EAC. She noted the urgent need for a regional Task force and funding mechanisms for the same. She also pointed to the need for capacity building for regional mechanisms through standardization of training manual, IEC materials

Ms. Adriko singled out EAPCO as having been instrumental in securing budget commitment to combat human trafficking.

DISCUSSIONS EMANATING FROM THE PANEL PRESENTATIONS

Participants inquired on what were the best ways for a person to seek employment abroad, given that this was one of the main avenues through which people were exploited. It was explained that employment recruitment companies were required to be registered with the Ministry of Gender and that people seeking to use the services of these companies should do their due diligence to ensure they are working with a properly registered entity. It was also mentioned that this was not enough because even people that had used properly registered companies still sometimes fell victim to trafficking and exploitation.

8.0 IDENTIFYING TRAINING NEEDS OF STAKEHOLDER IN THE REGION

This session was led by Ms. Rachel Ploem of Rutgers and Aloys Mahwa from Living Peace. It began with a presentation on the partnership between the World Bank, MSM and RTF aimed at strengthening capacities of the Facility to deliver training programmes in the areas of prevention and mitigation of SGBV for judicial, police, medical and psychosocial professionals.

ICGLR-RTF and the Netherlands Initiatives for Capacity Development (NICHE) have agreed to institutionally strengthen the RTF to deliver training programs in the Prevention and Mitigation of the SGBV; in particular for medical officers and social workers. This is a four year project slated to start in 2017. Following consultations with all stakeholders, the RTF will embark on developing a training curriculum for all stakeholders in handling sexual violence (i.e., legal officers, medical officers, social workers, police, and all that handle sexual violence). This colloquium provided the opportunity to reveal training needs based on which training materials will be developed.

The training programme is hinged on the need for coordination of the many SGBV initiatives in the Great Lakes region. Under the training partnership, RTF would essentially be the center for regional excellence with an advisory role. It would also provide leadership with respect to developing and implementing gender sensitive curricula and fostering regional networking of training professionals by serving as a knowledge platform. To that end, a training strategy is needed and a program and timeline for implementing the strategy by 2017 was shared as follows:

- Training of Master Trainers (16) in 2017
- Training of Trainers (96) in 2017/2018
- Develop curricula and course materials (mainly by Master trainers, ready in 2019)
- Train professionals from four target groups (880+) in 2019

Other interventions include the development of a database of training curricular, monitoring and evaluation of courses, accreditation of courses and refresher trainings.

MSM requested support from the participants in the following areas going forward:

- Gathering of existing curricula and materials (here all participants were requested to share training materials they are currently using)
- Identifying 16 Master Trainers ;
- Selecting 96 trainers;
- Training adopted in national curriculum;
- Assessing training needs (broader than documentation/investigation), including of the participating Member States in the colloquium

Elements of Sexual Violence Training:

It is difficult to achieve change without a shift in cultural norms and mindsets. Men are often times considered providers for their families and do not readily admit to vulnerabilities. At the same time conflict leads to loss of property, this also contributes to the feelings of low self-worth felt by a lot of vulnerable men in the GLR. In order to change multiple forces of a person's environment for the sake of ending SGBV and other harmful gender norms, we must address the following levels:

1. Individual
2. Interpersonal
3. Organizational
4. Community
5. Public Policy

In order to drive her point home, a documentary was shown to the participants. It was a story of Abby and Kyalu. They are a Congolese couple that was affected by conflict related sexual violence. The wife was raped by armed groups and as a result she bore a son out of that sexual violation. The husband was infuriated and consequently rejected his wife and the child. He took to alcohol but later joined a self-help, all-male group of survivors of sexual violence. He was taught methods of coping with the pain and self-acceptance.

The video triggered several reactions about the role of armed forces, including government forces, in perpetrating sexual violence against women. The presenter, Mr. Aloys, explained that according to his research, the society is not giving the military "good children". The vast majority of people who join the military happen to be rejects of society. In most cases educated and disciplined people would not readily join the military.

The statement was highly contradicted as it seemed to infer a correlation between level of education and propensity to commit crimes. It was underlined that both educated and uneducated people are equally likely to be perpetrators. As well, it was pointed out that most militaries in the region are highly professional with well-educated officers. Some participants questioned the appropriateness of the video with respect to the image of the military

The facilitator asserted that the video is simply advancing a fact and that it is undisputed that the military has been implicated in sexual violence. SGBV has many dimensions and other documentaries can also be shown to make a point about any given dimension.

REACTIONS AND QUESTIONS TO THE DOCUMENTARY:

Participants pointed out that in the absence of the state and the relevant institutions are populations left to their own devices. Emphasis must therefore put on the rule of law and the rebuilding of the state and its institutions to secure protect the citizens

It was also observed that while video began with a portrayal of the might of the power of military. There was some discussion here about the role of the military in committing crimes of sexual violence. It was however noted that during conflict, sometimes it is hard to distinguish between rebel and government troops whose uniforms are often similar and that care should be taken not to condemn the entire military.

It was suggested that besides laws and decrees to fight sexual violence, more needed to be done to strengthen people's morals. It was also suggested that Civil Society Organisations be given space to fight this heinous crime by engaging families and communities.

9.0 COUNTRY PRESENTATIONS OF TRAINING NEEDS

The participants provided a sector-specific diagnostic of their country contexts with respect to the enabling environment, challenges and training needs areas for effective prevention and punishment of sexual related crimes.

The sectors covered by the colloquium included the judiciary, police, medical and psycho-social. Participants were advised to explore how all these interconnections can be made individual, interpersonal, organization, community, public policy as they identify training. **(A matrix containing detailed responses by each country is annexed)**

It is important to note however that the exercise to elicit training needs did not particularly seek out training needs. The instructions given to the participants afforded broad responses with respect to "needs" for effective SGBV response with the result that the information provided in the sectors cut across a range of institutional, legal, organizational and training needs.

It is important for MSM and other stakeholders to undertake a more focused diagnosis with respect to training capacity gaps and capacity development.

Police Sector:

Good/ What are you proud of?

SGBV legal framework (especially penal law and criminal procedure), multi-sectoral coordination mechanism or approaches, community policing including sensitization programs, specialized offices to handle including gender desks,

What are the main challenges?

Limited access to hot spot areas, especially in conflict time, capacity gaps with respect to documenting, absence of appropriate infrastructure such as survivor and witness shelters, harmful traditional practices, especially settlements out of court, difficulty in operationalizing the sexual violence fund, lack of scientific/ forensic equipment

What are the needs (including training needs)?

Skills to handle children, no SGBV data base,

Judicial Sector:

Good/ what are you proud of?

SGBV laws and special procedures in place (in some countries)

What are the challenges?

Limited technical capacities to handle SGBV, inadmissible evidence hence low successful convictions, absence of support mechanisms for victims and witnesses after prosecution,

What are the needs?

Legal information assistance to survivors, capacity building for prosecutors on how to handle SGBV cases, understanding of medical evidence, sensitization special procedures

Medical Sector:

Good/ what are you proud of?

Availability of health services, SGBV awareness among practitioners

What are the challenges?

Lack of awareness about forensic evidence collection and management, limited technical capacities to handle SGBV and weak coordination

What are the needs?

Forensic management

Psychosocial Sector:**Good/ what are you proud of?**

Availability of health services, SGBV awareness among practitioners, multi-sectoral coordination, presence and participation of NGPs in service provision, legal framework

What are the challenges?

Socio-cultural barriers hence discrimination of survivors, very limited interventions and human resource, Lack of awareness about forensic evidence collection and management, limited technical capacities to handle SGBV and weak coordination

What are the needs?

Forensic management, emotional support training, awareness about coordination and referral mechanisms, sensitization on existing laws and policies, SGBV assessment in conflict times and in areas with higher prevalence,

10.0 VALIDATING COUNTRY SITUATIONS ON SURVIVORS' ACCESS TO JUSTICE

This session focused on a review of RTF Draft Report on Access to Justice in Sexual violence Cases and a validation of SGBV Legislation, Special Courts, and Remedies in ICGLR Member States. The session was intended to get a quick country-level assessment of the operationalization of the provisions of the regional instruments that require Member States to put in place special measures to handle SGBV. Art 6(7) of the Kampala Declaration on sexual violence (2011) requires member states to put in place special courts or special sessions for sexual violence in order to cure the case backlog on SV cases. It also requires establishing recovery centers for sexual violence survivors. The RTF hopes to assist these courts in training the officers that will work in them as well for those working in recovery centers when and where they exist. Understanding the situation in member states regarding legislation, special courts /sessions and recovery centers in ICGLR member states is an imperative for RTF's strategic focus on training of the relevant stakeholders.

Only five countries were able to provide an update on the status of their legislation, special procedures and remedies. An Annex of the countries is attached to this report.

South Sudan:

There are existing legislation such as Penal Code 2008 which covers offences such as rape and other sexual crimes. There is no progress in establishment of special courts however. Also, the issue of compensation of victims is handled in their penal code (but victim has to claim it or request it)

Sudan:

There are a number of laws in place (interim constitution of 2005, human trafficking law and other legal reforms are ongoing to harmonize and domesticate international obligations with national laws. SGBV training was introduced by Ministry of Justice. Ministry of Social Welfare provides programs in capacity building for personnel on SGBV issues. 18 special courts were established to deal with child protection and abuse cases. More needed to be done to offer protection to victims/survivors.

Uganda:

Laws exist such as Prohibition and Prevention of Torture Act, Children's Act, Amendment 2015. Special courts sessions on SGBV cases in the Karamoja region are ongoing. Progress is also being made in establishment of a Prohibition of Trafficking in Persons Act.

Zambia:

Penal code as amended provides for penalties for crimes such as sexual harassment, defilement. There is also an Anti-GBV Act and the Gender Equity and Equality Act 2016. Fast track courts are being piloted in Kabwe and Lusaka. A number of shelters for survivors/victims are being operated by NGOs such as World Vision International.

There is more to be done since the Anti-GBV act provides for establishment of shelters and Anti GBV fund and provisions for assessment and rehabilitation of victims

11.0 CLOSING CEREMONY:

The closing ceremony was held with remarks given by the Guest of Honor, Ambassador Rosette Nyirikindi from Ministry of Foreign Affairs of Uganda. Remarks were also given by Ambassador Keita, the ICGLR National Coordinator for Kenya, Dr. Frank Okuthe on behalf of the Executive Secretary of the ICGLR and by Mr. Nathan Byamukama, the Ag. Director of the ICGLR-RTF Kampala.

Ambassador Rosette Nyirikindi (GOH)



Ambassador Rosette Nyirikindi, during the closing ceremony of the colloquium, 6th December 2016.

She expressed regret for not being able to attend the first day of the deliberations. She thanked the teams for their hard work in the colloquium on documentation, investigation and reporting of SGBV crimes in the region.

She reminded us of how far the ICGLR-RTF has come since its inception in 2014. A number of trainings have already been carried out with many more planned to ensure that the objective of punishing, preventing and suppressing crimes of SGBV is achieved.

Thanked partners (FIDA, MSM, Population Council, and GIZ), and stated that the colloquium results would chart the way we work together to fight SGBV in the ICGLR.

Dr. Frank Okuthe (Speaking on behalf of Executive Secretary ICGLR)



Dr. Frank Okuthe, giving closing remarks on behalf of the ICGLR Executive Secretary.

Dr. Okuthe shared with participant's greetings and thanks from the Executive Secretary of the ICGLR and stated that participants now had the challenge of implementing what had been agreed at the colloquium. He thanked everybody for their lively participation in all discussions and thanked facilitators as well for a job well done in keeping the colloquium focused and on topic

He also thanked the G.O.U for their constant hospitality; and thanked ICGLR partners that helped organize the event. He also thanked CSOs for their very important role in setting the priorities for the ICGLR.

He thanked Mr. Byamukama for being able to not only coordinate with ICGLR team but to form relationships (meaningful relationships) with other partners that have proved to be of great importance in assisting ICGLR to achieve its objectives.

He also mentioned that we should not forget men too are forgotten victims of violence and are also trafficked to be exploited for labor and also sexually.

He hoped that the deliberations over the past two days would lead to a Kampala resolution that further drives the mission of prevention of SGBV crimes forward.

CLOSING REMARKS BY NATHAN BYAMUKAMA

Mr. Byamukama thanked everyone for coming and participating in the colloquium over the past two days. All 12 member states were represented (100% attendance).

He stated that one of our objectives of the colloquium was to identify best practices, challenges and needs assessment, and that they now had an idea of where to direct their training curriculum. He also noted that member states now had a better understanding of the legal instruments that exist (national, regional and international) and are specific to SGBV crimes.

He thanked ICGLR-RTF partners that have supported the initiatives of the training facility (FIDA Uganda, GIZ, MSM, and Population Council)

He gave the RTFs commitment that everything that had been discussed had been recorded and would be organized in a more palatable report that would be shared with all participants.

He reminded participants to gather relevant materials from their member states (manuals, etc.) that they should share with other member states, and also to try and collect information that was missing but required and to share this information with the ICGLR-RTF

He stated his hope that by end of next year, training of trainers would be done

Ambassador Josephine Gaita (Kenya) giving word of thanks

Pointing to the discussions of the two days, Amb. Gaita pointed out that SGBV is important and affects each of the ICGLR member states and affects vulnerable members of our society (youth, women and children), and even those not normally considered vulnerable such as men. The idea to bring us together to discuss documentation, investigation and reporting of SGBV crimes was great and will serve to drive us closer to our goal.

It has been 10 years since signing of the pact.

There is still a lot to do. It is the job of all that have been here over the past two days; report back to our respective ministries and partners on what was discussed here.

Let us not concentrate on assigning blame on perpetrators of SGBV crimes, instead let us focus on working together to put in place the best practices of tackling SGBV crimes.

It is hoped that the next time we meet to discuss the issue of SGBV crimes; we shall have positive developments to report on the progress of the fight against this issue.

We look forward to more capacity building to ensure that the issue of SGBV is given the importance it deserves.

Annexes:

Matrix of Training needs

Matrix of Country Application of Response Models 1 and 2

Matrix of country review of findings of the assessment of the status of SGBV legislation, special courts and procedures and remedies

Country Group Discussion Guidelines

Colloquium Concept Note

Colloquium program

List of participants