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# RESPONDING TO SEXUAL VIOLENCE:
# COMMUNITY APPROACHES

**Sexual Violence & Accountability Project**
**Working Paper Series**

**By**

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**Lauren Harris**
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The Human Rights Center investigates war crimes and other serious violations of human rights and international humanitarian law. Our empirical studies recommend specific policy measures to hold perpetrators accountable, protect vulnerable populations, and help rebuild war-torn societies.

# RESPONDING TO SEXUAL VIOLENCE: COMMUNITY APPROACHES

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**ABSTRACT**

The devastating effects of sexual violence on victims can be mitigated not only by effective professional responses but also by contributions from para-professionals and community-based organizations. This paper focuses on community-based approaches as a means of bolstering systems of accountability for sexual violence and facilitating recovery for victims. These approaches serve three crucial functions: 1) educate community members and service providers, 2) offer support to victims, and 3) reinforce institutional capacity. These approaches can enhance the ability of victims to pursue accountability by addressing their needs, developing organizational capacities, and linking individual actors and institutions to community networks,. The first and second sections of the paper describe the effects of sexual violence on individuals and the community at large. It also discusses how socio-cultural factors affect community responses to sexual violence. The third and fourth sections identify key actors and community interventions. The fifth section examines the role of "individual guides," such as paralegals, case workers, and community organizers, can play in aiding victims who wish to pursue justice. The third part of the paper explores the role of "group guides," such as community-based organizations and associations, in the pursuit of accountability. The final section delineates "coordinated community response" models, programs implemented by networks of individuals and organizations.

This paper is part of a Working Paper Series published by the Sexual Violence and Accountability Project, at the Human Rights Center, University of California, Berkeley Law School. Along with three other Working Papers, it was drafted in preparation for the "Sexual Offences Act Implementation Workshop" to be hosted by the Human Rights Center in Kenya, in May 2011. It will be presented to the cross-sectoral stakeholders tasked with responding to sexual and gender-based violence in Kenya, to frame discussion about the potential use of community-based accountability mechanisms in Kenya. We welcome your feedback, which can be sent to ktseelinger@berkeley.edu.

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## I. Introduction

### a. *Objectives*

This paper focuses on community-based approaches to accountability and treatment for victims of sexual violence in times of peace and armed conflict. These approaches serve to

1)  educate community members and service providers about accountability mechanisms and treatment programs,
2)  offer support to victims, and
3)  reinforce institutional capacities.

The paper has several objectives. First, it establishes why community-based approaches are crucial to achieving accountability for sexual violence. It describes the socio-cultural factors that influence community response to these crimes, as well as the barriers victims often in their pursuit of justice.

Second, the paper examines the role police and law enforcement, healthcare providers, religious institutions, formal courts, and traditional and customary judicial systems play in helping and, at times, hindering victims gain access to justice.

Third, the paper describes the role civil society organizations have played in supporting victims of sexual violence. Today there are hundreds—if not, thousands—of nongovernmental organizations engaged in preventing and documenting sexual violence worldwide. Our aim here is not to present a comprehensive description of the activities of these organizations but rather to present the work of a few organizations that are helping victims receive treatment and redress for the crimes they have suffered.

Fourth, the paper explores the "individual guide" model of community response to sexual violence. This approach uses locally based "guides" who assist survivors to navigate the multiple institutions of the response system. The guide model is designed to combat some of the barriers that derail the pursuit of accountability for sexual violence, including lack of knowledge on the part of the victim, mistakes or resistance in key institutions, and social norms. Furthermore, the individual guide model aims to empower survivors to make decisions about the type of accountability that best serves their needs, and what steps they wish to take to obtain that remedy.

And, finally, the paper presents several "group guide" models offered by community-based organizations. These network models emphasize the importance of creating linkages between institutions so as to provide victims with the most professional care possible and ensure that evidence collection is conducted in a professional and efficient manner.

*b.  Community-Based Approaches as Context-Specific Models*

The specific context in which sexual violence occurs determines how it can and should be addressed by individuals and organizations. Responses during armed conflicts and in refugee settings often differ from community-led initiatives in post-conflict situations. Infrastructure, access to resources, and political will may vary in each case. Given the nuances and complexity of these different settings, it is beyond the scope of this paper to fully explore models designed for each context. The approaches described here provide basic ideas and concepts for individual, organizational, and network-level responses relevant to multiple settings.

## II.  Understanding the Community Context

Sexual violence is a multi-pronged problem influenced by the interaction of personal, situational, and socio-cultural factors. This "ecological approach"[1] suggests that the underlying cultural, social, and gender norms of a community often make it difficult for a victim to receive support or achieve redress. In order to address sexual violence and provide appropriate support to victims, the socio-cultural context in which such crimes are perpetrated must be considered, as well as the profound effect that sexual violence has on the individual and her community.[2]  Indeed, the health and well-being of an individual cannot be divorced from the community context in which he or she lives.[3] As Per Nilsen notes,

> Humans live in, are shaped by, and in turn shape the environment in which they live.
> Therefore, individuals cannot be considered separately from their environment. People's
> health and safety related knowledge, attitudes, behaviors, and skills reflect their life
> experiences and these experiences are determined by broader institutional structures,
> cultural forces, and social relations within the community.[4]

As such, community-based approaches to sexual violence must acknowledge the importance of relationships between individuals and groups within a community, as well as find ways to  incorporate the

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[1] Lori L. Heise, "Violence Against Women: An Integrated, Ecological Framework," *Violence Against Women* 4/3 (1998): 263-264.

[2] Discussions of sexual violence often mention the need for community perspectives and participation, but definitions of "community" differ. For the purpose of this paper, communities are considered relational entities of linked individuals who share social identity, common interests, values, and norms, and who maintain a sense of belonging to one another. Civil society organizations, community-based organizations, and local nongovernmental organizations are also included as community members, as they represent the interest of larger groups within a community.

[3] Per Nilsen, "The theory of community based health and safety programs: a critical examination," *Injury Prevention* 12 (2006): 141.

[4] Ibid, 140.

participation and involvement of community members in finding solutions, both at the individual and organizational level.[5]

     a. *Society, Culture, and Gender Norms*

       Sexual violence is influenced by a number of socio-cultural factors, including gender norms, the role and position of women in society, and the concept of masculinity. Where community mores are such that women are subordinate to men and male superiority is emphasized, sexual violence is more prevalent and widely tolerated. Studies suggest that violence against women is most often found in societies where gender roles are rigidly defined and where the concept of masculinity is linked to toughness, male honor, or dominance—all of which are amplified during armed conflicts.[6]

       Attitudes and beliefs about sex play a significant role in how communities respond to incidences of sexual violence. Three major facets of socio-cultural influence – which often occur coincidentally – include male entitlement to sex, the perception of females as a symbol of honor or purity, and sex as a taboo topic of discussion. When sex is considered a man's individual right, the concept of mutual consent is virtually nonexistent. Paradoxically, rape may also be considered the woman's fault, suggesting that she has power to seduce the man into an illegal act. Where women are considered symbols of purity, her violation is thought to bring shame to her family, and remedies tend to overlook the individual harm and seek to atone, instead, for the dishonor brought to the family. Where sex is a taboo subject, it is incredibly difficult for individuals to discuss sexual violence with law enforcement or public health professionals, let alone seek public acknowledgement and accountability in a court of law. Under such conditions, sexual violence is considered a "private matter," or in the context of armed conflict as "unfortunate behavior" committed by wayward soldiers.[7] When sexual violence is situated in the private domain, there is little basis for passing legislation criminalizing such behavior.

a. *Impact on Community*

     i. Health

     Victims of sexual violence may suffer from psychological problems, including post-traumatic stress disorder, depression, low self-esteem, insomnia, and anxiety.[8] Women are also at risk of higher

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[5] Ibid, 141.
[6] Lori L. Heise, "Violence Against Women," 277-280.
[7] Miriam S. Denov, "Wartime Sexual Violence: Assessing a Human Security Response to War-Affected Girls in Sierra Leone," *Security Dialogue* 37/3 (September 2006): 321.
[8] Etienne G. Krug et al., eds., *World Report on Violence and Health*. Geneva, Switzerland, World Health Organization (2002) 102.

rates of maternal mortality, including gynecological disorders such as pelvic inflammatory disease.[9] Sexual violence has been associated with increased vulnerability to sexually transmitted infections (STIs), including HIV/AIDS. HIV risk factors are associated with forced sex, and women who are raped face substantial risk of contracting STIs.[10] In the case of the Rwandan genocide, studies have shown that disproportionally high rates of HIV/AIDS exist among survivors of collective sexual violence.[11] Similar linkages have also been found in non-conflict settings. In South Africa, for example, youth who live in communities with high rates of sexual violence are significantly more likely to be HIV-positive than their counterparts in communities experiencing lower rates of sexual violence.[12] Similarly, they face increased risk of pregnancy, and may be prone to risk-taking behaviors such as drug and alcohol abuse, and more sexual partners.[13] Moreover, violence before and during pregnancy can have serious ramifications for women and their children. Women are more likely to delay seeking prenatal care, gain insufficient weight, miscarry, or go into premature labor, while babies may suffer from low birth weight, miscarriage, and fetal distress.[14] A Nicaraguan study found that the risk of child death before the age of 5 increased more than six times if the child's mother had been exposed to both physical and sexual violence at any point in her life.[15]

    ii. Economic Ramifications

Women who have been sexually assaulted often face economic hardships. This is particularly true in societies where a woman's access to resources is based on her relationships with male family members, such as fathers, husbands, or brothers, and where such relationships are regulated by customary or

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[9] Lori L. Heise, Mary Ellsberg, and Megan Gottmoeller, "A Global Overview of Gender-Based Violence," *International Journal of Gynecology and Obstetrics* 78/1, Suppl. S5-S14 (September 2002): S10.

[10] World Health Organization, *Transforming health systems: gender and rights in reproductive health. A training curriculum for health programme managers* (2001): 102.

[11] Maggie Zraly, Julia Rubin-Smith, and Theresa Betancourt, "Primary mental health care for survivors of collective sexual violence in Rwanda," *Global Public Health*, (22 July 2010): 259

[12] Ilene S. Speizer et al., "Sexual Violence and Reproductive Health Outcomes Among South African Female Youths: A Contextual Analysis," *American Journal of Public Health* 99/2 Supplement (2009): S427.

[13] Heise et al., "A global overview of gender-based violence," *International Journal of Gynecology and Obstetrics* (September 2002): S5-14.

[14] Mary Ellsberg, "Violence Against Women and the Millennium Development Goals: Facilitating Women's Access to Support," *International Journal of Gynecology and Obstetrics* 94/3 (2006): 327.

[15] Kajsa Asling-Monemi et al., "Violence Against Women Increases the Risk of Infant and Child Mortality: a Case-referent Study in Nicaragua," *Bulletin of the World Health Organization* (January 2003): 12.

statutory law.[16] The loss of social standing and shame associated with rape can diminish a woman's eligibility to marry or remain married, which in turn affects her ability to provide for herself and her children.[17] In many situations the physical and mental injuries sustained from sexual violence can be debilitating to the point that a victim is rendered unable to work and sustain her livelihood or that of her family.

   iii.  Accountability

Victims of sexual violence often face myriad obstacles, including re-victimization, ostracism, discrimination, and corrupt law enforcement, if they seek accountability.  Because of the dishonor associated with sexual violence, female victims may be abandoned or disowned by their families and communities.  When reporting a sexual assault, women can endanger their status, social capital, and economic viability.  Sometimes the relationship between perpetrator and victim within the community prevents a woman from speaking out. In Guatemala and Peru for example, many members of local defense groups who were perpetrators of sexual violence now live in close proximity to their victims who fear reprecussions if they report past abuse to the police.[18] In other situations, prosecutors, judges, and forensic doctors, may be unwilling or reluctant to deal with sexual violence cases.[19] Perpetrators may bribe officials to prevent a case from going to court, while police may demand money from victims in exchange for the necessary forms to file a complaint.[20] Victims can be intimidated by the prospect of presenting a claim to hostile or corrupt authorities. According to Amnesty International, victims of sexual violence in Kenya who come forward to report an attack are often verbally abused by police or made to feel as if they are wasting the officers' time.[21]

A few countries, such as Uganda and Timor-Leste, have established special female-operated police stations or police desks dedicated to women's issues and sexual violence. These initiatives have help increase reporting but still fall short of their goals largely due to lack of training. Properly training and changing the attitudes of law enforcement officials is a lengthy process, and while the presence of

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[16] Meredith Turshen, "The Political Economy of Violence against Women During Armed Conflict in Uganda,"*Social Research* 67/3 (2000): 804.

[17] Ibid.

[18] Colleen Duggan, Claudia Paz y Paz Bailey, and Julie Guillerot, "Reparations for Sexual and Reproductive Violence: Prospects for Achieving Gender Justice in Guatemala and Peru," *The International Journal of Transitional Justice* 2 (2008): 204.

[19] Sarah Bott, Andrew Morrison, and Mary Ellsberg, "Preventing GBV in Middle and Low-Income Countries: A Global Review and Analysis," World Bank Policy Research Paper 3618, World Bank, June 2005: 22.

[20] Lauren Harris and Camille Crittenden, "Sexual Violence and Accountability: Kenya Trip Report," Berkeley Human Rights Center (June 2010): 11; Amnesty International, "Kenya, Rape—The Invisible Crime," 17.

[21] Amnesty International, "The Invisible Crime,"16.

female police officers at gender desks or specialized response units is encouraging, evaluations of these units have raised questions of efficacy. Female officers do not necessarily display better attitudes toward sexual violence than their male counterparts, and the creation of separate stations for women may encourage regular police stations to eschew responsibility.[22] Further, victims of sexual violence may be detained by police or prosecutors under pretense of medical or safety concerns but often are being treated like criminals and held in jail-like facilities.[23]

*b. Responding to Sexual Violence*

A community's ability to respond to sexual violence depends on several factors. First, key institutions in the areas of medicine, law, and psychosocial services must be identified. Second, barriers to effective response–whether institutional, cultural, or financial–must be addressed. Finally, interlinking and mutually supportive approaches must be established to ensure that victims can navigate the system while being treated with dignity and respect. This paper has identified three types of community-based approaches that are mutually supportive and which, when applied effectively, increase the ability of individuals to seek accountability for sexual violence. These include the use of the use of paralegals, case workers or community organizers (the "individual guide" model), community-based organizations (the "group guide" model), and the development of coordinated community-response programs.

## III. Identifying Key Actors and Institutions

One commentator notes that ideas about gender and the acceptability of sexual violence are imbedded "in the processes, practices, images and ideologies, the distributions of power in the various sectors of social life."[24] Governmental and nongovernmental institutions, including the police force, health centers, churches/religious centers, and schools, play key roles in perpetuating or countering attitudes about sex and sexual violence within a given community. For change to be sustainable, community-based approaches must specifically target or incorporate these institutions into interventions.

*a. Police and Law Enforcement*

Police officers in many societies play a "gate-keeping role" when deciding whether or not a crime

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[22] Sarah Bott et al., "Preventing GBV in Middle and Low-Income Countries," 22.

[23] Communication with Archi Pyati, Sanctuary for Families, New York City, March 2011.

[24] Joan Acker, "From Sex Roles to Gendered Institutions," *Contemporary Sociology* 21/5 (September 1992): 567.

took place and, if so, how to classify and investigate it.[25] Police are in charge of filing sexual violence–related claims, filling out the necessary paperwork, and protecting the victim (and witnesses, if applicable). They are also responsible for identifying, collecting, transporting, and storing evidence, and have the power to drive a case through the necessary channels toward prosecution, or they can prevent it from being initiated at all.

Police often consider a rape claim "legitimate" based on the victim's credibility, according to a study conducted in the United States.[26] While credibility can be a legitimate reason to not pursue a claim, the perception that a victim appears not credible is often influenced by pre-existing bias or a lack of training of police and other key professionals in the response system. In places where women have very little social status, it is essential that police are educated about sexual violence and victims' rights if women's access to justice for sexual crimes is to become a reality.[27]

b.  *Healthcare Providers*

Healthcare providers are often the first responders in cases of sexual violence. Even if victims are unaware of their right to bring legal charges, they may still seek medical care. While some health facilities have teams of nurses or nurse practitioners trained in techniques to collect forensic evidence and are aware of the delicate issues of sexual violence, they are usually the exception to the rule. Moreover, whether or not forensic evidence is collected often depends on the attitudes and training of health care providers[28] During the post-election violence in Kenya, for example, some doctors refused to carry out the necessary medical or forensic examinations on rape victims from other tribes, due to ethnic prejudice.[29]

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[25] Fraizer et al., "Sexual Assault Cases in the Legal System: Police, Prosecutor, and Victim Perspectives," *Law and Human Behavior* 20/6 (1996): 607-628.

[26] Rose et al., "The Impact of Investigator Perceptions of Victim Legitimacy on the Processing of Rape/ Sexual Assault Cases," *Symbolic Interaction* 5 (1982): 23-36.

[27] For a more in-depth discussion of the investigation of sex crimes, see Kim Thuy Seelinger et al., *The Investigation and Prosecution of Sexual Violence* (Berkeley: Human Rights Center, 2011).

[28] Kramer et al., "Prevalence of Intimate Partner Violence and Health Implications for Women Using Emergency Departments and Primary Care Clinics," *Women's Health Issues* 14 (2004): 19-29. Laurie Wiseberg also notes that in all of Karamoja, northeastern Uganda – a huge area of 27,000 square kilometers 10,550 square miles – about the size of Rwanda, with a population estimated to be close to 1 million inhabitants, there was not a single surgeon attached to the police. Therefore, the ability of the police to collect forensic evidence, whether in a case or rape or of murder or assault, was non-existent. So what was the point of reporting rape cases to the police? Doctors who examined rape victims wanted to be paid for filling in the PF3 forms. Personal communication, March 2011.

[29] Beatrice Gachube, member of Kacuacu Counsel of Elders Peace Initiative, personal communication, June 18, 2010.

*c. Religious Institutions*

Churches and religious centers can shape community attitudes toward sexual violence. Religious leaders who profess dogmas that strongly support male dominance and entitlement can have a negative influence on sex roles and indirectly perpetuate gender discrimination.[30] Conversely, religious leaders are often seen as moral authorities in communities, and their attitudes can greatly influence followers. As such, religious organizations can play a major role in educating people to take a stand against gender-based violence by reporting instances and discouraging stigmatization of people who have been sexually assaulted.

Churches and other religious centers can also play a role in sheltering and counseling victims. During the 2007 post-election violence in Kenya, the Catholic Church in Eldoret was the first place that people fled to escape the mounting violence. Sister Macrina Cheruto, a nun at the Church, counseled several women who had been raped, and referred them to the closest hospital for treatment. She noted, "I knew on a very basic level how to advise the women, but it really would have been helpful to have some formal training on the exact steps a victim should take to get medical and legal attention. I don't think any of the women that I saw followed up with prosecution."[31]

Religious institutions can also be a negative influence. Some victims fear reporting sexual abuse to religious personnel for fear that they will word of sexual abuse will spread quickly to their abusers or family members if they turn to a religious institution because it is the seat of organized community activity.[32] In Timor Leste, the position of the Catholic Church with respect to abortion was to oppose it under all circumstances. The Bishop intervened in Parliament to ensure that a woman or girl who was raped or a victim of incest would not be able to get an abortion. Only if the life of the mother was at stake could a pregnancy be terminated.[33]

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[30] Margaret Daly, *The Church and the Second Sex (*New York: Harper & Row, 1968); Rosemary Reuther, *Religion and Sexism: Images of Woman in the Jewish and Christian Traditions* (New York: Simon & Schuster, 1974*):* 218-250; Marie Neal, "Women in Religious Symbolism and Organization," *Sociological Inquiry* 49 (1979).
[31] Sister Macrina Cheruto, personal communication, June 18, 2010.
[32] Archi Pyati, personal communication, March 2011.
[33] Laurie Wiseberg, personal communication, March 2011.

*d.   Schools and Educational Settings*

Education about sexuality and gender-based violence at a young age tends to have a long-term impact on attitudes and behavior.[34] Raising awareness about sexual violence at a formative stage in a young person's life is critical in changing cultural norms. Schools can provide students with objective and clear information about issues that are either treated with bias or seen as taboo within their families or communities. Incorporating these issues into the curriculum can also alert students to their own vulnerability to sexual harassment and assault by teachers – an all-too-common occurrence  in some countries.[35]

Schools are also ideal for reporting cases of sexual assault. In the United States, teachers who witness or believe an assault has taken place are obligated to report it to the appropriate authorities. Teachers or counselors often are the only adults with whom a child interacts on a daily basis outside the home. It is therefore important for professionals in the education system to receive training on the proper steps for recognizing, confronting, and reporting cases of sexual violence, and the options available for shelter and protection, if warranted.

*e.   Formal Courts*

Courts can play a critical role in bringing perpetrators of sexual violence to justice. Yet for those unfamiliar with court procedures or those who cannot read or write, they may be impossible to navigate. Courts can be geographically distant from where crimes occurred, and many victims may find it difficult making numerous trips to attend the proceedings.  The costs associated with proceedings, including retaining a lawyer and missed wages, can also be prohibitive for victims.

Countries approach these resource issues in different ways. Some have public prosecutors paid by the state. Others mandate that legal organizations, such as bar associations, dedicate a certain amount of their members' time to pro-bono cases. In either case, it behooves the victim to take responsibility for gathering the necessary evidence for her case. This information will greatly assist the lawyers working on the case, especially if they have little time or motivation to collect the information themselves. (For more information on the formal court systems see the Investigations and Prosecution Paper.)

Finally, in communities where sexual violence is seen as routine or unworthy of litigation, biases against survivors' claims can permeate all levels of the judiciary, including judges and juries. A lawyer at FIDA-Kenya, a legal advocacy group focused on women's rights, described the challenge in presenting a

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[34] Renee L. Binder, Dale E. McNiel, "Evaluation of a school-based sexual abuse prevention program: Cognitive and emotional effects," *Child Abuse & Neglect* 11/4 (1987): 497-506.
[35] Nan Stein, "Sexual Harassment in School: The Public Performance of Gendered Violence," *Harvard Educational Review* 65/2 (1995):145.

sexual violence case quite bluntly: "Most [judges] don't really see there being any problem with what the perpetrator did, so they just let them off the hook."[36]

*f.   Traditional and Customary Judicial Systems*

Parallel traditional, customary and religious accountability systems also manage and modify community attitudes about sexual violence. These informal systems are frequently not a comprehensive or cohesive system, but a set of processes and traditions governed by a range of individuals that resolve disputes based on local concepts of justice or subjective ideas of what constitutes an appropriate outcome. These processes may be conducted without explicit reference to state, religious or traditional law.[37] However, these informal systems often form the locus for codifying cultural norms, which may serve to create or perpetuate gender inequality, making accountability for sexual violence unachievable. Because the restoration of social harmony is the main imperative behind non-state justice systems, individual interests are frequently undervalued.[38] Yet, these informal systems may be the only available form of justice for the majority of the population. Furthermore, the pursuit of a formal judicial solution for a given crime, including sexual violence, may be perceived as the rejection of one's community, culture, or value system; a perception that can increase the pressure to "settle" a given dispute locally.[39] Because so many victims of sexual violence will turn to informal judicial systems, whether because they are the only accessible solution or because of cultural and communal pressure, these systems must be considered and engaged in order to develop effective responses to sexual violence. [40]

In many parts of the world, customary norms often encourage gender inequality and practices that may be harmful to women and girls. At the very least, these systems are dominated by men and by the "powerful" entities of a given community, often to the exclusion of women and minority voices.[41] With regard to sexual violence, these systems may encourage problematic "solutions" such as marrying victims to their attackers or token payments from the perpetrator to the male relatives of the victim.[42] They may also silence victims or stigmatize those who report their experiences. The underlying patterns of gender

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[36] Jane Serwanga, FIDA-Kenya, personal correspondence, June 10, 2010
[37] Matt Stephens and Samuel Clark, "Forging the Middle Ground: Engaging Non-State Justice in Indonesia," The World Bank, Justice for the Poor Program, (May 2008): x.
[38] Ibid., xi.
[39] Kathleen Daly, "Sexual Assault and Restorative Justice," *Restorative Justice and Family Violence*, by Heather Strang, John Braithwaite, (Cambridge University Press, 2002), 65.
[40] Ewa Wojkowska, "Doing Justice: How Informal Justice Systems can Contribute," Oslo Governance Centre (December 2006): 12-13.
[41] Stephens and Clark, "Forging the Middle Ground," 5.
[42] Evelyn Joss, "'They Came with Two Guns:' The Consequences of Sexual Violence for the Mental Health of Women in Armed Conflicts," *International Review of the Red Cross* 92/877, (March 2010), 181.

inequity, community allegiances, and corruption that shape and control some traditional judicial systems must be challenged. However, dismissing these systems altogether ignores their role in setting and enforcing community norms, as well as the willingness of the community to abide by their rules.[43]

Informal judicial systems may be more developed and firmly ensconced than formal state systems, particularly in the developing world and in post-conflict and transitional settings. In Malawi, 80 percent to 90 percent of all disputes are dealt with by the customary judicial system.[44] In Bangladesh, the *Salish*, a system of village-based arbitration, handles 60 percent to 70 percent of local disputes.[45] In Sierra Leone the Constitution recognizes customary law as binding over nearly 85 percent of the population.[46] Given this reach, it is important to improve the response of such systems to sexual violence and to link them to formal systems of prosecution. Finding key allies within traditional systems who can advocate for gender equality, reject tolerance of sexual violence, and encourage formal justice for perpetrators, can increase the reach of accountability efforts and begin to shift community norms.

Traditional systems are also important in light of the numerous barriers that victims of sexual violence may face in accessing formal judicial systems. The formal legal system and the authority figures associated with it may be feared or distrusted because of corruption, domination by one group, or a general lack of legitimacy. This can be true particularly in cases where the perpetrators of violence are state actors. Additionally, as discussed above, victims may find courts inaccessible because of language barriers, financial cost, and geographic location. Furthermore, the shame and humiliation associated with gender-based violence may make victims reluctant to deal with their experience in such a public forum.[47] Traditional systems are therefore an important locus because some victims, who would be reluctant to seek accountability within the formal system, may report their experience to them.

Customary and informal systems are frequently dominated by the most powerful groups in a community and their interests: most often men, majority ethnic and religious groups, and educated or socio-economically privileged classes.[48] In many settings, it is almost inconceivable that judicial proceedings, whether formal or informal, should be conducted in an unbiased manner. Instead, persons

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[43] Caroline Sage and Michael Woolcock, "Breaking Legal Inequality Traps: New Approaches to Building Justice Systems for the Poor in Developing Countries," The World Bank, Arusha Conference: *The New Frontiers of Social Policy* (December 12-15, 2005): 4.

[44] Wilfried Scharf, "Informal Justice Systems in Southern Africa: How Should Governments Respond?," Institute of Criminology, University of Cape Town, South Africa.

[45] UNDP, "Programming for Justice: Access for All, A practitioner's guide to a human rights based approach to access to justice" (2005).

[46] Leila Chirayath, Caroline Sage and Michael Woolcock, "Customary Law and Policy Reform: Engaging with the Plurality of Justice Systems," (2005).

[47] Wojkowska, "Doing Justice," 13.

[48] Caroline Sage and Michael Woolcock, "Breaking Legal Inequality Traps: New Approaches to Building Justice Systems for the Poor in Developing Countries," The World Bank, Arusha Conference: *The New Frontiers of Social Policy* (December 12-15, 2005).

involved with mediation or adjudication of disputes are often understood (even expected) to make their decisions based on kinship, friendship, common regional or academic backgrounds, or even because of mutual acquaintances as opposed to the basis of clearly articulated legal principles or analysis.[49]

The challenges faced by women seeking accountability within informal judicial systems for crimes of sexual violence are numerous. In some settings these crimes are considered a violation against the victim's kin group rather than the actual victim. In such settings, even if the act is condemned, reparation may be made to the kin group rather than to the individual victim, demeaning the value of the survivor's independence and diminishing her ability to assert her individual rights. In other settings, an experience of sexual violence is so shameful that it is ultimately a social burden or de-valuation borne by the victim instead of the responsibility of the perpetrator. A victim-blaming conceptualization of gender-based violence can lead to forced marriage, abandonment, ostracism, or even retaliation against the victim/survivors, which may be reinforced or validated by informal authority structures.[50]

Despite these biases against women, attempts to develop an effective system of accountability for sexual violence cannot ignore informal or customary systems. In some societies, traditional justice mechanisms may be more broadly trusted and accessed than formal justice systems.[51] Additionally, the biases present in traditional systems are frequently present in the formal sector as well. On paper and in theory, the formal legal system may demand unbiased adjudication of all claims, including sexual violence. However, cultural norms have frequently prevented the correct application of formal law. Given the utility and imperfection of both systems, it is necessary to shift the approach taken in both traditional and formal judicial systems so as to increase accountability throughout a given society.

Where the informal judicial sector is used and adhered to by significant portions of a population, ignoring it will only create an impunity gap for crimes committed outside of the reach of the formal sector. In some areas, it will take years to increase access to formal judicial systems, and to shift the opinions of those who are resistant to using those systems. For such individuals, informal judicial systems may be the only recourse they regard as legitimate and satisfactory. Accountability advocates should look

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[49] Stephen Golub, "An Overview of ADB's Law and Policy Reform Activities in 2000," Asian Development Bank (2000): 36.

[50] Tanja Chopra, "Women's Rights and Legal Pluralism in Post-Conflict Societies: An analytical Agenda," presented as part of USIP, GWU & World Bank Conference on Customary Law, Session IV: Putting Theory into Practice: Programming with Respect to Legal Pluralism (November 17-18, 2009).

[51] Wojkowska, "Doing Justice," 13; It should be noted that there is limited empirical evidence regarding the opinions of victims themselves as to the benefits and drawbacks to using the informal or formal sector. It is unclear whether victims access the informal sector because they themselves are more comfortable with that system, or whether the collective community views the informal as a more appropriate solution. Further empirical research is needed.

at ways to link the two systems, beginning to shift cultural norms from within the community while increasing knowledge of and adherence to national and international legal norms.[52]

## IV. Community-Based Interventions

### a. *The Role of Civil Society Organizations*

Civil society organizations are essential in addressing the issue of sexual violence at the community level, especially when government-funded services are absent or inadequate.[53] These organizations fill gaps in service provision, advocacy, education, and victim support. For the purposes of this paper, we have labeled these types of projects the "group guide" model or "group approach," because these organizations are composed of groups of individuals or service providers who work together to shift attitudes regarding gender-based violence and improve the response to victims.

Community-based organizations use a range of approaches to assist victims of sexual violence. One successful method has been to link existing village hierarchies or adjudication structures to the formal legal system, an approach that can help overcome traditional practices that prevent victims from receiving reparations and protection for crimes of sexual violence.[54] Targeting institutions within the community, such as police, health clinics, churches, and schools, can also help change existing cultural norms surrounding sexual violence, ultimately changing the way that cases are handled along the path to justice. Community-based organizations in their various forms not only provide economic opportunities, professional skills, and emotional support to survivors of sexual violence, they can also reduce further incidents of sexual assault by raising awareness among key service providers, schools, and influential members of the community.[55]

### b. *Training*

Providing specialized training for service providers–primarily doctors, health workers, lawyers, and police officers–can improve the ability of victims to pursue accountability and shift community

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[52] Cunningham, "Justice Reform's New Frontier."

[53] World Health Organization, *Research Summary: Rape: How Women, the Community and the Health Sector Respond*, Sexual Violence Research Initiative (2007): 3.

[54] Esther Milgo, Assistant Chief (Kirima sub-location), personal communication, June 2010

[55] CREAW (Center for Rights, Education and Awareness) is an example of an organization that has gone to great lengths to reach out to members of the community. With the Sexual Offenses Act came out in Kenya in 2006, CREAW converted the document into simple Swahili so that police officers and other people in the community could understand its meaning.

norms that tolerate rape and sexual violence.[56] Such training should include discussions about existing protocols and laws about sexual violence and, more generally, reproductive health. Marianne Haslegrave, the Director of the Commonwealth Medical Association Trust (CMAT) in the United Kingdom notes, "Medical educators have a responsibility to train physicians and other health professionals in the core competencies needed to improve the sexual and reproductive health of their communities."[57] In 2003, CMCT, along with 27 heads of OBGYN departments from different commonwealth countries, developed a model curriculum on sexual health that was integrated into medical education courses in developing countries throughout the world.

The development of a sexual violence curriculum for medical care providers can be divided into four phases: 1) a needs assessment, 2) design of the curriculum, 3) testing and implementation, and 4) evaluation. Within each country, national and/ or provincial licensing bodies control the information integrated into existing curricula. Once the information is approved at this level, it can be introduced into the educational system through three different approaches. The first is an "integrative model," whereby the new information is integrated into the existing curriculum concurrently, parallel with the other subjects. The second model, the "free-standing model," introduces new material as an elective. While this model may give students a more comprehensive understanding of the subject, it can be less effective because fewer students have access to the information. The third approach is called the "delegated model" in which specific topics on sexual violence are given to individual departments for instruction. This approach has been the most popular in developing countries.[58]

Another approach used in countries where it is impossible to incorporate information on sexual violence into existing programs is to hold a series of training sessions for medical personnel and law enforcement already working in the field.[59] These trainings can be effective because they are targeted and can be implemented as often as necessary. The negative side of this model is that high turnover of government workers in the field (medical and law enforcement) means the training sessions need to be held frequently to be effective.

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[56] Petersen et al., "Sexual Violence and Youth in South Africa: The Need for Community-Based Prevention Interventions," *Child Abuse & Neglect* 29 (2005): 1233–1248.
[57] Haslegrave et al., "Incorporating Sexual and Reproductive Health Care in the Medical Curriculum in Developing Countries," *Reproductive Health Matters* 11/21 (May 2003): 49.
[58] Ibid.
[59] Maryfrances Lukera, personal communication, June 17, 2010.

*c. Economic Empowerment*

Victims of sexual violence often find themselves in situations where they have to fend for themselves financially. Whether as a result of divorce, familial abandonment, or community shunning, victims frequently face economic hardship that makes them increasingly vulnerable to further victimization, health problems, exploitation, and marginalization. A number of strategies have been tested to help women gain financial independence during such times of hardship. Microfinance is one increasingly popular strategy for empowering individuals, and women in particular, through economic opportunities. Microfinance programs can provide credit and savings services for income-generating projects, and could prove helpful to victims of sexual violence and others who lack other economic support.[60]

Over the past thirty years, microfinance programs have reached over 100 million clients in Africa, Asia, and different parts of Latin America.[61] Some organizations act like a small bank, providing members with enough money to start a small business. Another microcredit organization, Kiva (http://kiva.org), offers a different approach, lending money through an online system that eliminates the middleman. An individual donor with Internet access can go to the Kiva website, read a series of grant proposals from people around the world, choose one, and then lend money to that person directly and on their own terms. One limitation of this program is lack of access to computers or the Internet, or indeed basic illiteracy, on the part of some of the neediest clients.

Another model, pioneered by the organization Heifer International, gives a family a cow (or another domestic animal), encourages them to breed it and then share the offspring with another family in the community. The animals are referred to as "living loans" and can help families improve their nutrition and generate income in sustainable ways.

These financial-empowerment strategies intended to emancipate women by improving their self-esteem and confidence, enhancing their ability to make decisions within their own households, and expanding their social networks.[62] Whether this approach achieves these objectives depends on the context. Some researchers argue that microfinance can negatively affect women in households where they do not have control over their own finances, or in extreme resource-poor situations when a woman is

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[60] Watts et al., "Understanding the Impact of a Microfinance-Based Intervention on Women's Empowerment and the Reduction of Intimate Partner Violence in South Africa," *American Journal of Public Health* 97/10 (2007): 1802.

[61] Microcredit Summit Campaign, "State of the Microcredit Summit Campaign Report 2005," *Microcredit Summit Campaign* (Washington, D.C., 2005). See also Cheston et al., "Empowering Women Through Microfinance," *Pathways Out of Poverty: Innovations in Microfinance for the Poorest Families*, Ed. Harris (Bloomfield, CT: Kumarian Press, 2002): 167-228.

[62] Hashemi et al., "Credit Programmes and Women's Empowerment in Bangladesh," *World Development* 24 (1996): 635-653.

unable to pay back the loan.[63] Strategies that involve multiple stakeholders (women's groups for example) have proven effective in solving some of these challenges[64]

### d. Support Groups

As discussed at greater length in [Medical / Psychosocial Support Paper], psychosocial counseling is of tremendous value to survivors of sexual violence. Unfortunately, these services are generally insufficient in developing countries due to lack of resources and cultural resistance to (or stigmatization of) mental health support.[65] However, such services can be effective, especially if tailored to the specific needs of those in need of care.[66] Women's support groups, for example, have proven very effective in some countries as they provide women with a safe space to share their experience, connect with others who have undergone a similar event, and learn skills or gain resources that can help them escape their situation. A series of studies conducted by Bowker in 1984, 1986, and 1988 showed that 60 percent of women who had experienced sexual violence in the United States greatly benefited from women's groups because participation encouraged independence and helped raise self-esteem.[67]

Men's groups can help in the struggle to prevent sexual violence. Men for Gender Equity Now (MGEN), a project implemented by The African Women's Development and Communication Network (FEMNET), is an example of a men's group working to change attitudes and perspectives regarding sex in sub-Saharan Africa. The men who work with this organization educate communities about sexual violence and recruit other men to join them in speaking out against these crimes. In some communities, they even escort women to the police station or to court to insure they achieve justice. Kennedy Otina, the Regional Programme Associate for MGEN said, "We've become well known within the community because we always wear red shirts. If we go into trial or accompany a woman to a police station people know to take the case seriously."[68]

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[63] Goetz et al. "Who Takes Credit? Power and Control Over Loan Use in Rural Credit Programmes in Bangladesh." *World Development* 24 (1996): 45–63.

[64] Micro lending is only one of many strategies organizations can use to empower victims of sexual assault. Job training, job placement, language learning, and fees for education are other examples.

[65] Saxena et al., "Resources for Mental Health: Scarcity, Inequity and Inefficiency," *Lancet.* 370/9590 (2007): 878-889.

[66] Judith Gordon, "Community Services for Abused Women: A review of Perceived Usefulness and Efficacy," *Journal of Family Violence* 11/4 (1996): 315-329.

[67] L.H. Bowker, "The Effect of Methodology on Subjective Estimates of the Differential Effectiveness of Personal Strategies and Help Sources Used by Battered Women," *Coping with Family Violence: Research and Policy Perspectives,* G. T. Hotaling et al (Eds). Newbury Park; Sage. (1988): 80-92.

[68] Kennedy Otima, personal correspondence, June 18, 2010.

*e.  Safe Houses*

Lack of protective services in many countries prevents victims from filing reports of sexual assault. Survivors may fear that reporting the perpetrator will lead to further sexual assault or harm to their families. While little guidance or study of safe house models is available, these structures can provide protection in some contexts. By giving survivors a safe place to stay, a temporary source of food and resources for their children, and a network of legal and emotional support, safe houses can help victims gain a sense of independence and strength. The most common problem with shelters is that they do not always preserve victims' anonymity and they frequently lack the resources to support clients for extended periods. Women must leave their home communities to enter the shelters, only to be supported for a few days or weeks, after which they must often leave the facility and run the risk of confronting their assailant again.

*f.  The Media*

The media offers one of the most important community-based interventions because of its potentially vast impact (broad geographic and demographic reach). Determining the most effective medium depends on the country and the context. Organizations like Population Media Center,[69] for example, use soap operas to relay messages about sexual violence, HIV, and a number of other health issues in developing countries throughout the world. "Open Cage," a radio drama started by the International Women's Tribune Center in northern Uganda,[70] used a radio talk show format to discuss sexual and gender-based violence for people living in camps for internally-displaced persons. Billboards are another effective and far-reaching form of media. AVERT, an advocacy organization based in the UK with programs in sub-Saharan Africa, started a mass media campaign several years ago targeting HIV-positive men who were sexually violating children (based on the superstition that intercourse with a virgin could cure AIDS).[71]

The Nairobi-based Peace Pen Communications is another example of a media group working to establish a proactive journalism culture in areas of conflict and social unrest. The director, Mildred Ngesa, believes the importance of media has been overlooked when it comes to creating accountability for these crimes. "People will often just hand us [journalists] a report at the end of a month-long debate or discussion [about sexual violence with policy makers] and expect us as to turn it into something the

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[69] http://www.populationmedia.org
[70] http://www.iwtc.org/
[71] Groce et al., "Rape of Individuals with Disability in the Age of AIDS: The Folk Belief of 'Virgin Cleansing'," *Americas* 5/6 (2004).

public will understand and appreciate," she said. "This does not work. You have to incorporate the media into the discussion so that we too are passionate about the issues."[72]

TV and soap operas have also been highly effective at targeting both victims and perpetrators of sexual violence. The Population Counsel (http://www.popcouncil.org) has been very successful at reaching people in Latin America with a weekly soap opera called "Sexto Sentido" ("Six Sense"), which covers sexual health, gender roles, and HIV risks. "An Afgan Television Program called Nigab"("The Mask") targeted sexual violence specifically by allowing Muslim woman to talk about their experiences behind a mask. The show has been revolutionary because it's one of the only forums that Muslim women have been able to come out to the public openly without exposing themselves or going against religious custom.

### g. *Technology-based Initiatives*

Information and communications technologies (ICTs) such as Internet, mobile phones, and text messaging services (SMS) have enabled the rapid dissemination of information and given rise to tools that facilitate networking, outreach, and community mobilization. As ICTs continually evolve and become more widely available to the public, an increasing number of NGOs are adopting the use of web-based and mobile phone platforms to advance their advocacy efforts.

### i. Using SMS for information dissemination and education

The use of mobile phones in Kenya is much higher than other countries in the region—mobile telephony use surpassed 50 percent of the population in 2010 and is projected to pass the 95-percent mark by 2013.[73] The Center for Rights Education and Awareness (CREAW), an NGO focused on rights and empowerment in Nairobi, recently launched an SMS-based education and outreach initiative. Recognizing the trend of increasing mobile phone use, CREAW started a bulk SMS system in October 2010 that allows a single text message to be sent to thousands of subscribers at a time. CREAW intends to deploy the system to disseminate information and organize rallies and meetings for their campaigns. Such a system can also be used to share referral and legal information about specific violations like rape and information for post-trauma care, such as why a victim should not shower after attack, where she should go for medical care and forensic examination, what to explain to the police, and the like.

CREAW envisions that its SMS program will also serve as an incoming pipeline of queries from constituents regarding any number of rights-related issues, including those regarding sexual and gender-

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[72] Midred Ngesa, personal communication, June 22, 2010.
[73] Helen Nyambura-Mwaura, "Kenya mobile penetration crosses 50 pct mark-govt," *Reuters,* August 23, 2010, http://www.reuters.com/article/idUSLDE67M1JD20100823 and Rebecca Wanjiku, "Mobile penetration to hit 95 percent by 2013," *IDG News Service\Nairobi Bureau,* October 10, 2008.

based violence. Users will be able to text their questions and concerns to a designated phone number. CREAW staff will then aggregate the questions and discuss the topics on weekly community radio programs.[74] By collecting inquiries from a broad swathe of community members directly, CREAW staff will be able to track outreach, research, and advocacy effectiveness.

ii. Mobile phones for community-led data collection

Technology is also used to document human rights violations and incidences of sexual violence. In the Democratic Republic of the Congo (DRC), the Youth for Integrated Development – Kalundu Child Soldier Project (AJEDI-Ka/PES) works with local communities to collect information on children's rights violations using mobile phones.[75] AJEDI-Ka/PES set up 25 village committees in the Uvira region, with each committee generally composed of a teacher, elder, member of the local church, local administrator, and business leader. Committee members receive training in using mobile phones to collect information about sexual violence. The information is then aggregated by AJEDI-Ka/PES and sent to their partner, the Watchlist on Children and Armed Conflicts, who process the data and forward it to the UN's Monitoring & Reporting Mechanism on Children and Armed Conflict. AJEDI-Ka/PES' records from 2007 show that the most recurrent violations were the sexual abuse of minors, including torture and rape, and that armed groups such as the government army and local militias were largely responsible.[76] Over time, the data collected via mobile phone demonstrated high incidence of violations, eventually leading to the development of victim-assistance strategies on the part of NGO's and local organizations.

Although innovations in technology improve community initiatives' communication and outreach abilities, they also come with limitations and abuses. Cost can be a barrier to participating in SMS-based campaigns, as sending text messages incurs a fee to the user. It should also be noted that ICT may be used to perpetuate violence in certain instances. Joshua Goldstein and Juliana Rotich note that in the days following the results of the 2007 Kenyan presidential election, SMS messages were deployed to encourage violence and promote ethnic hatred. Online forums such as the Kenyan online community Mashada were inundated with hostile messages.[77] As much as technology can be used in innovative ways to track and address violence, it may also be used to instigate it.

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[74] Michael Wachira, CREAW, interview by author, Nairobi, Kenya, October 28, 2010.

[75] Bukeni Waruzi, WITNESS, "Using mobile phones for monitoring human rights violations in the DRC," in *SMS Uprising: Mobile Phone Activism in Africa*, ed. Sokari Ekine (Oxford, UK: Pambazuka Press, 2010), 138.

[76] Ajedi-Ka/Projet Enfants Soldats, "Rapport Sur Les Violations des Droits des Enfants dans le Territoire D'Uvira et de Fizi, Sud-Kivu, RDC," quoted in Bukeni Waruzi, "Using mobile phones for monitoring human rights violations in the DRC," 140.

[77] Joshua Goldstein and Juliana Rotich, "Digitally Networked Technology in Kenya's 2007-2008 Post-Election Crisis," Internet & Democracy Case Study Series, Berkman Center for Internet & Society at Harvard University, September 2008, 5.

**V. The Individual Guide Approach**

Any effective response to sexual violence requires the coordination of multiple institutions and professions, including medical service providers, police and security forces, formal and traditional judicial systems, nongovernmental organizations, schools, psycho-social service providers, and religious centers. The existence of these institutions does not ensure that victims of sexual violence will necessarily receive adequate treatment or obtain redress. To work effectively, these institutions must be linked and work in harmony. And, most importantly, victims must be able to "navigate" through an institutional labyrinth that is often confusing and demoralizing.[78] Failing to link key institutions increases the risk that a victim's legal case will "fall through the cracks" at some point in the process.[79]

One way to bridge any possible institutional gaps is to assign "individual guides" (case workers, paralegals or legal aid workers, or community organizers) to help guide victims through the system. Individual guides can

1) provide information and guidance to victims navigating the response "system;"[80]
2) act as a safety net for the system where institutional capacity or error might otherwise obstruct accountability;
3) instigate norm change from within a community;[81] and
4) empower victims to make choices about whether they wish to pursue justice, and if so, in what form.[82]

Through these four functions, individual guides can help victims find a remedies that best suits their needs and overcome barriers that might otherwise derail the accountability process.

a. *Providing Information and Guidance*

Victims of sexual violence may lack basic information about where to lodge a complaint or fear the authorities to whom they must report the crime.[83] This is particularly true in settings where sexual violence is a taboo subject. Victims may enter the "system" at any number of points: a hospital, police station, law office, school, church, or community center. Even when victims find such an entry point, they may lack knowledge about steps required for legal accountability or other forms of redress. For example,

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[78] Rebecca Campbell, "The Community Response to Rape: Victims' Experiences with the Legal, Medical, and Mental Health Systems," *American Journal of Community Psychology* 26/3 (1998).

[79] Sarah Bott, Andrew Morrison, Mary Ellsberg, "Preventing and Responding to Gender-Based Violence in Middle and Low-Income Countries: a Global Review and Analysis," World Bank Policy Research Working Paper 3618, (June 2005).

[80] "System" here is used to refer to the multiple institutions and service providers involved in response to, and accountability for, sexual violence.

[81] Lorenzo Cotula and Paul Mathieu (ed.), "Legal Empowerment in Practice: Using Legal Tools to Secure Land Rights in Africa," Highlights from the international workshop, Accra 13-14 March 2008.

[82] Vivek Maru, "Between Law and Society: Paralegals and the Provision of Justice Services in Sierra Leone and Worldwide," *The Yale Journal of International Law* 31/427 (2006): 449.

[83] Maru, "Between Law and Society," 452.

a victim may be willing to report the crime but unaware of the importance of seeking medical or forensic attention in order to collect evidence. Alternately, a victim might fear or distrust police or courts and therefore be reluctant to file a claim, and instead simply seek emotional support from a religious leader.

The multiplicity of entry points and the possible barriers at each speak to the necessity of improving the institutional capacity of service providers who respond to sexual violence.[84] At the same time, victims must be supplied with access to information about how to respond to the crime. An individual guide can provide such information and support victims who seek accountability by accompanying them through the process.[85]

On a purely logistical level, the process of reporting sexual violence can be complicated and often prohibitive.  For example, the current system in Kenya requires that a victim visit a hospital, police station, police doctor, and finally the local magistrate, in order for the claim to be brought to court.[86] Multiple forms are required, evidence is transported back and forth between the institutions, and the victim must travel to the capital.[87] Victims often lack knowledge of the system as a whole, let alone how to navigate each step of the process. Thus individual guides can play an essential role helping victims interact with state institutions and advise them at each step of the way.[88]

The process of reporting sexual violence can be traumatic for a victim, particularly if she is challenged to "prove" her claim or questioned regarding her moral character or sexual history. [89] A case-worker or paralegal, trained to understand and deal with the trauma, can provide reaffirming support to victims and shield them from some of the adversarial interactions that may arise. While police officers, investigators, and judges must remain objective in considering claims of sexual violence, the individual guide does not have the same obligation. Much like a lawyer, these guides serve to advocate on behalf of their client: to listen to their needs and strive for the outcome that best represents the victim's interests. In taking this stance alongside the victim, an individual guide can even provide therapeutic support to victims by helping them reestablish trust with other community members.[90]

Individual guides can lend authority to their client's claim. The presence of a professional accompanying the victim gives other stakeholders in the process a sense that their work is being watched

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[84]Rachel Davis, Lisa Fujie Parks, Larry Cohen, "Sexual Violence and the Spectrum of Prevention: Towards a Community Solution," National Sexual Violence Resource Center, Enola, PA (2006): 8.
[85] Cotula, "Legal Empowerment in Practice," 3.
[86] Lauren Harris and Camille Crittenden, "Sexual Violence and Accountability: Kenya Trip Report," Berkeley Human Rights Center (June 2010), 5-6.
[87] Ibid.
[88] Cotula, "Legal Empowerment in Practice," 25.
[89] Jamie O'Connell, "Gambling with the Psyche: Does Prosecuting Human Rights Violators Console Their Victims?" *Harvard International Law Journal* 46/2 (Summer 2005), 332.
[90] Martha Minow, *Between Vengeance and Forgiveness* (Boston: Beacon Press, 1998), 71; see also accompanying paper from Berkeley Human Right Center: *Investigation and Prosecution*.

and that repercussions may result if they do not fulfill their obligations.[91] Individual guides can be a legitimizing presence when personnel in key institutions place barriers in the way of the victim's pursuit of accountability. While a police officer or lawyer might easily dismiss a victim because of gender biases, the taboo nature of the topic, or unwillingness to prosecute powerful actors, they may be less likely to do so when the victim is accompanied by a representative of an official support program or organization.

Individual guides can help victims find the appropriate medical, psycho-social, and other health care services.[92] For example, if victims are unaware of the risk of sexually transmitted infection, an individual guide can refer them to a medical service provider that can test for such infections. Similarly, individual guides can help victims who wish to pursue legal redress by referring them to a doctor to be examined for potential evidence.[93] Individual guides can also refer victims to legal aid groups who can advise them on the possible benefits and ramifications, as well as the safety precautions, if they decide to take their case to court.

b.  *The Individual Guide as Safety Net*

Many developing countries are hampered in their efforts to improve accountability for sexual violence because of shortages of financial and human resources and weak institutional capacity. Hospitals, police stations, courts, and similar institutions may be few and far between, or may be under-staffed and lacking the resources needed to assist victims adequately in pursuing accountability. Additionally, due to lack of training, resources, and gender-sensitivity, key actors may mistakenly or willfully leave out important steps of the process. For example, if a victim visits the doctor's office by herself and the doctor fails to fill out the appropriate form, the victim might not know to ask for it. But if the victim is accompanied by a trained guide, the guide will know what forms, signatures, tests, etc. are necessary to support the judicial proceedings and will make sure these are all obtained.

Some individual-guide projects are specialized to such as an extent as to allow them effectively to take the place of an institution that may be missing for the area. For example, in Rwanda, WE-ACTx (Women's Equity in Access to Care and Treatment) trains paralegals and medical personnel on the rights of victims of sexual violence. The training also includes forensic principles and guidelines so the guides can assist in collecting evidence that will allow victims to testify against their perpetrators in local

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[91] Ibid.

[92] Campbell, "The Community Response to Rape," 358.

[93] The individual guide's ability to assist the victim gain access to medical examination is essential to preparing cases in a manner that could, at the wish of the victim, be pursued in court. In order to do so, the individual guide must be located in the community in such a way as to allow victims to find them easily, or have a close relationship with the other key institutions in the system allowing for notification and referral of victims. These structural issues are discussed later in this paper.

courts.[94] However, individual-guide models cannot be expected to undertake all aspects of responding to sexual violence. Such a repositioning would defeat the key advantage of this model: its mobility and ability to link established institutions.

c. *Norm Change within Communities*

Because individual guides are familiar with inherent power structures and informal and formal accountability mechanisms, they can help promote community dialogue around topics that might otherwise be taboo and thus shift community norms. This cross-cutting knowledge allows paralegals and caseworkers to identify and navigate localized barriers to accountability.[95]

One example of a paralegal project's ability to shift community norms took place in Sierra Leone with TiMap for Justice, where a woman was seeking redress after her four-year-old daughter had been kidnapped by the community women, who subjected the child to female genital mutilation (FGM). Despite FGM being illegal under national law, there was a strong taboo against "outside" meddling or prevention, making it nearly impossible to seek accountability through the police and court system. In fact, TiMap felt that using the formal judicial system might even result in a backlash against the mother, threatening her safety and the security of her child.

Understanding that the community adhered to the authority of the traditional chief system, and that these elders had typically supported FGM as part of their responsibility to uphold community values and traditions, the paralegals approached the chief. The paralegals appealed to him on the grounds that it was against customary law to subject a child to FGM without the consent of her parents. The chief found in favor of the child's mother, stating that the group of women had acted without his authorization and that the value of parental decision was greater than that of the act of FGM. The group responsible was required to pay a significant fine.[96]

While this is not the ideal outcome for most advocates of women and children's rights, it is a foothold in the rock of customary law. The chief's decision accomplished three things: it sent the message that FGM could not be carried out without the permission of parents in the future; that those who did so would face significant repercussions; and that it was legitimate for families to decline to put their children through the rite. It is critical to understand that the process of norm change is one of slow erosion. This decision, while not an outright victory in the form of communal condemnation of FGM, is the beginning of dialogue about the practice and its possible, gradual abandonment.

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[94] Population Council, "Sexual and Gender Based Violence in Africa: Literature Review," (2008), 34.
[95] Maru, "Between Law and Society," 452.
[96] Ibid.

*d. Individual Guides as Links to both Formal and Informal Justice Options*

Paralegals and case-workers who act as individual guides are uniquely placed to listen to the needs of victims and assist them in deciding what avenue of redress, if any, would best fit their needs. Because individual-guide projects employ local members of the community, these guides are aware of the cultural, religious, and familial context in which the crime occurred. As local community members, guides have a working knowledge of both formal and traditional legal systems, and can discuss the possible remedies provided by each. Empowering victims to take control of their lives by choosing what types of remedies they want is essential to dealing with sexual violence. Rape, assault and other forms of gender-based violence take away a victim's sense of control. It is important that in responding to the crime, advocates do not inadvertently compound this sense of powerlessness.

One option that frequently presents itself is the traditional or customary judicial systems. As discussed in previous sections, these systems are often discriminatory in their approach to women, and to sexual violence in particular. Nonetheless, women from the community may identify with that approach and feel most comfortable in pursuing protection via such systems.[97] Additionally, where the formal and informal systems distinctly clash, a woman might face serious repercussions for going against the customary code. For example, a woman may want physical and sexual violence to end but also want to avoid breaking up her family, or may have no means to support herself financially if her abusive partner were jailed.[98] Before advocates of sexual violence accountability push for the use of the formal prosecution in all cases, they should thoroughly take stock of possible repercussions for individual victims.

For some victims, the process of criminal prosecution may have negative effects that outweigh the remedies they could provide. Trials are useful in that they may incapacitate perpetrators and have a deterrent effect on future perpetrators. However, prosecutions rarely provide for economic or social reparations directly to the victim. Furthermore, victims may have mixed responses to the process of testifying or bringing official charges. For some, it may be an empowering and healing process. For others, it may have a re-traumatizing effect or make her feel publicly humiliated and stigmatized.[99]

Individual-guide programs, particularly those that provide paralegal or legal aid–type assistance, are an important complement to formal judicial systems. Victims may choose to use only the formal system of prosecution, only traditional or customary systems, or a combination of both. Substantial research suggests that many female survivors of sexual violence are more interested in pursuing strategies

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[97] Markus Weilenmann, "Legal Pluralism: A New Challenge for Development Agencies," Penal Reform International, *Access to Justice in Africa and Beyond: Making the Rule of Law a Reality* (2007), 87.

[98] Bott, "Preventing and Responding to Gender-Based Violence in Middle and Low-Income Countries," 18.

[99] O'Connell, "Gambling with the Psyche, 332.

that improve their personal and economic security, such as divorce, division of property, rights of inheritance, child custody and child support, as opposed to criminal prosecution of their perpetrator.[100] Legal aid and paralegal projects can help victims wend their way through non-criminal matters, including property disputes, employment, and interpersonal disagreements.

Resistance to the idea of resolving cases of sexual violence through mediation is high. Particularly in cases of rape and sexual assault, many scholars and advocates feel strongly that criminal prosecution is the only way to deal with these crimes.[101] In keeping with this stance, many paralegal programs do not submit cases of sexual violence to mediation, referring them to the formal criminal law system instead.[102] However, in instances where victims are unwilling to pursue formal accountability – when doing so would present added threat of harm or leave them or their families economically vulnerable – alternatives to the formal justice system may be justified to avoid complete impunity.

As previously discussed, creating dialogue about sexual violence within the existing power structures of the community is one way in which individual-guide projects may begin to shift traditional norms that engender and foster discriminatory attitudes and practices. Additionally, while countries that impose stricter punishments for sexual violence have seen rates of "intimate partner and sexual violence" decline, researchers have been unable to attribute the decline to the criminalization of the act, and not to other factors like economic development, increase in women's agency and rights, or other social and cultural shifts.[103] This paper does not argue for the abandonment of criminal prosecution, but points out where paralegal, case-worker or community organizer projects that engage in mediation might play a positive role by filling an impunity gap and providing an alternative remedy for victims. Provision of mediation where no other remedy would be pursued can still create dialogue about a taboo and stigmatized issue and may even shift norms and ideas about sexual violence.

Individual guides, as insiders, have knowledge of both formal and informal systems, knowledge of the victim's needs, and a level of legitimacy that when used within traditional or formal systems, may bring about a better result for the victim. They are also uniquely placed to know when prosecution would be dangerous or traumatic for a victim. Most important, the knowledge and legitimacy of the individual guide can begin to erode norms that prevent reporting and response to sexual violence in general.

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[100] Population Council, "Sexual and Gender Based Violence in Africa: Literature Review," (2008), 31, see also Bott, "Preventing and Responding to Gender-Based Violence," 332.

[101] There is a need for further discussion of differing contexts of conflict, post-conflict, transition, or peace. Within each of these the purpose and specifics of criminal prosecution change in scope and character.

[102] Maru, "Between Law and Society," 452.

[103] Bott, "Preventing and Responding to Gender-Based Violence in Middle and Low-Income Countries," 18.

*e. Key Components of Effective Individual Guide Systems*

Individual-guide programs vary significantly. Guides may be case-workers, paralegals, or community organizers, and may be affiliated with community organizations, groups dedicated specifically to addressing sexual violence, legal aid societies, hospitals, courts, or other institutions. Despite this diversity, some key common elements make these systems effective. In particular, the guides themselves must be trusted by victims, the local community, and players within the sexual violence response system. Also, the guides must have adequate training and information about the types of cases they are addressing.

i. Characteristics of Effective Individual Guides

Individual guides must be trusted and respected individuals within the local community.[104] Part of their job is to engage in dialogue and mediation with local authorities. To do so, they must be familiar with the relevant institutions and able to access them. The most effective guides are highly regarded within the community, in order to have greater leverage in negotiating with persons empowered to remove barriers to justice. However, some caution must be exercised in monitoring the level of power exercised by guides as well. Just as powerful authority figures in formal and informal judicial systems may be swayed by loyalties to particular groups, individual guides are also prone to such bias.[105] Especially where they are engaging in mediation, there should be emphasis on selecting individual guides from diverse and unbiased sectors of the community. Even as projects strive to capitalize on a given guide's knowledge of and place within existing community hierarchies, there must be assurances that guides can function in a neutral manner despite pressures from powerful groups or populations.

In contexts where the population is heterogeneous or segregated in one way or another, it may be difficult to find an individual guide who is accepted and trusted by all stakeholders: victims, local authority figures, and institutional authorities. Creating a team of guides that broadly represent gender, ethnic, religious and other forms of diversity may be a helpful strategy. Additionally, careful attention should be paid to cultural norms regarding gender relations. Because victims of sexual violence are predominately female, difficulties may arise if an individual guide is male and the cultural context is such that it is considered inappropriate for men and women who are not family members to work closely or travel together. Additionally, female victims may feel more comfortable with female guides, given the personal and culturally taboo nature of sexual violence. However, female guides may face similar barriers as female victims when interacting with various authorities. There can be no single way to create an

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[104] Maru, "Between Law and Society," 469.
[105] Caroline Sage and Michael Woolcock, "Breaking Legal Inequality Traps: New Approaches to Building Justice Systems for the Poor in Developing Countries," The World Bank, Arusha Conference: *The New Frontiers of Social Policy* (December 12-15, 2005), 4.

individual guide system. It is a contextually specific endeavor that must respond to the unique makeup of the location.

## f. Training and Education

The second aspect of establishing an effective individual-guide program is the provision of ongoing training and contact with experts. These guides are lay-persons, not doctors or lawyers. However, to aid victims in navigating the response system, it is crucial that they be able to understand legal and medical issues. This requires significant training and sensitization. Guides should have a thorough grasp of all relevant legal standards concerning sexual violence, including the definitions of various crimes. In medical training, guides should be aware of the specialized needs of victims of sexual violence based on age, gender and type of violence experienced, including an appreciation of the risk of sexually transmitted infections, pregnancy, and physical trauma such as fistula. Guides should also be aware of what types of evidence need to be collected for prosecution in the formal court system. Understanding of the psycho-social vulnerabilities of victims is also crucial. Guides should be sensitive to the possibility of re-traumatization, and should be trained to prioritize the needs and concerns of the victim. Finally, guides should have an understanding of the informal and customary systems available within a community in order to assist a victim in deciding what type of accountability to pursue.

## VI. Coordinated Community Approaches to Prevention and Response

### a. Coordinated Community Response: Establishing Local Networks

As discussed above, preventing and responding to sexual violence requires a multi-sectoral approach, a holistic effort in which survivors receive support and perpetrators are brought to justice as an outcome of coordinated activities across multiple sectors.[106] While this has been widely recognized and integrated into various international protocols, national legislation, and policy frameworks to address sexual violence, practical approaches to implementation at the community level are still needed. Effective prevention and response to sexual violence requires the development of a community-based system or network of key organizations and actors, working in coordination to provide services to survivors, bring perpetrators to justice, and engage in comprehensive community mobilization to prevent sexual violence. The development of this cohesive network, also referred to as Coordinated Community Response, was

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[106] UNICEF Eastern and Southern Africa Regional Office and USAID Eastern and Central Africa, "Strategic Framework for the Prevention and Response to Gender-Based Violence in Eastern, Southern, and Central Africa," USAID/UNICEF (2006): 12-13.

first developed as a strategy to address domestic violence and has since been adapted to address various forms of sexual and gender-based violence in countries throughout the world.[107]

The main goal of coordinated community response is to engage a wide range of essential institutions and individuals (e.g. healthcare providers, police, prosecutors, judges, legal services, shelters and protection services, schools, faith-based organizations, and advocacy organizations) in a community-wide strategy to ensure that survivors receive comprehensive support and protection in a consistent and timely manner. The approach involves developing a shared understanding of sexual and gender-based violence and related laws, identifying the roles of each partner in the process, and establishing coordinated procedures or protocols across agencies.[108] Key components of coordinated community response include an interdisciplinary team to coordinate and facilitate the network, changes to local institutions to ensure minimum standards and systems for data collection, ongoing communication and monitoring of prevention and response efforts, and community mobilization activities to change social norms that contribute to violence.[109] The coordinated community response approach aims to develop a community-based network of support that is accessible to survivors at any point of contact with the system.[110]

The establishment of community-based networks of prevention and response enable organizations to reach broad and multi-faceted goals beyond the scope of any single organization or agency.[111] Community-based networks are central to violence prevention because of the potential for integrating community mobilization and education efforts across sectors to challenge societal norms and create a culture of intolerance. Networks also build trust among partner organizations and members of the community by providing a clear and consistent message that violence is unacceptable. In addition,

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[107] Network Women's Program: Open Society Institute, "Bending the Bow: Targeting Women's Human Rights Opportunities," Open Society Institute (2002): 24-28. The coordinated community response approach was first fully outlined in the "Duluth Model," an interagency methodology for response to domestic violence by the Domestic Abuse Intervention Program in Minnesota in 1980. It has received national and international recognition as a best practice for responding to violence against women and is one of the most widely replicated program models. More information is available at: http://www.theduluthmodel.org.

[108] UNIFEM, "What is Coordinate Community Response to VAW/GBV?" *UNIFEM Virtual Knowledge Centre to End Violence Against Women and Girls*, October 23, 2010, http://www.endvawnow.org/?legislation&menusub=361&id=2363&what-is-a-coordinated-community-response-to-vawgbv.

[109] UNIFEM, "Ending Violence Against Women and Girls Programming Essentials," UNIFEM (2010): 65-67. See http://www.endvawnow.org/files/137c-programming_essentials_feb2010_en.pdf.

[110] Extensive information and resources for developing coordinated community response programs are available at the UNIFEM Virtual Knowledge Centre to End Violence against Women and Girls. See http://www.endvawnow.org/?legislation&menusub=361&interagency-approach-coordinated-community-response.

[111] Rachel Davis, Lisa Fujie Parks, Larry Cohen, "Sexual Violence and the Spectrum of Prevention: Towards a Community Solution" National Sexual Violence Resource Center (2006): 11.

collaborations also lead to more efficient use of resources by sharing expenses, reducing the duplication of efforts, fostering coordination among groups, and increasing the overall impact.[112]

Coordinated community approaches are gaining recognition for effective implementation of anti-violence legislation and ensuring rapid response and protection for survivors. Many promising interventions and strategies are currently being developed and implemented; however, the knowledge base regarding the effectiveness of these efforts is limited.[113][114] Further, although holistic approaches are needed, the vast majority of initiatives are stand-alone efforts targeting only one sector, or programs designed to address the needs of individuals rather than to develop a coordinated system of response at the community level.[115] Community-based networks are needed in order build upon and bring together the efforts of individual-guide programs and community-based organizations, such as those previously discussed, into one coordinated community-wide strategy.

b.  *Methodological Frameworks for Community-Based Prevention and Response Programs*

One of the most effective ways to eliminate sexual and gender-based violence is to mobilize and engage entire communities in recognizing, responding to, and preventing these crimes.[116] A growing body of public health research has demonstrated that community interventions which are multilevel, community-based, and culturally situated are more likely to create a long-term community impact.[117] This approach integrates the implementation of various activities to address the problem at multiple levels within a community (including at the individual, institutional, and policy levels), a commitment to working in partnership with the community at each stage of the process, and a deep understanding of the local context into the design of an intervention.[118] Developing and implementing coordinated community prevention and response programs that incorporate each of these goals can be complex.  Methodological frameworks are needed in order to simplify and guide the process. The following examples were selected for discussion because they illustrate frameworks for addressing sexual and gender-based violence within

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[112] Ibid.

[113] Sarah Bott, Andrew Morrison, and Mary Ellsberg, "Preventing GBV in Middle and Low-Income Countries: a Global Review and Analysis," *World Bank Policy Research Paper* 3618, (2005): 3.

[114] Laurie Wise, personal correspondence, February, 2010.

[115] Lori Michau, "Approaching Old Problems in New Ways: Community Mobilisation as a Primary Prevention Strategy to Combat Violence against Women," *Gender and Development* 15 (2007): 95-97.

[116] Pan American Health Organization: Program on Women, Health, and Development, "Social Responses to Gender-Based Violence," *Women, Health, and Development Fact Sheet* (November 22, 2010): 2. See http://www.paho.org/english/ad/ge/VAWSocial.pdf.

[117] Edison Trickett, "Multilevel Community-Based Culturally Situated Interventions and Community Impact: An Ecological Perspective," *American Journal of Community Psychology* (2009) 43: 621-627.

[118] Ibid, 621.

communities that aim to address the issue at multiple levels, engage community members throughout the process, and tailor the intervention to the local context.

     i.  Raising Voices: Establishing Community-Based Primary Prevention Programs

    "Mobilising Communities to Prevent Domestic Violence: A Resource Guide for Organisations in East and Southern Africa" was developed in 2003 by Raising Voices, an NGO based in Uganda, in response to the need for a holistic, systematic, and long-term approach to violence prevention at the community level.[119] It has since been recognized as a good practice by the UN Division on the Status of Women and WHO, and adapted for use by NGOs to address various forms of violence against women in a number of countries.[120] The guide provides a framework for community-based organizations to develop prevention and response programs through comprehensive community mobilization.

    The methodology is based on six guiding principles that inform each level of the process. A focus on primary prevention involves introducing a gender analysis to address the root causes of violence and challenge the assumptions and community norms that perpetuate violence. The strategy is holistic in that it creatively engages a wide variety of community members in order to build the momentum necessary to change social norms. The methodology takes an incremental approach and phases in ideas over time in order to facilitate a process of social change. Repeated exposure to ideas from a variety of sources over a sustained period of time is used to reinforce the climate of intolerance to violence and build momentum for change. Efforts to prevent violence are also rooted in a human rights framework which creates an objective or legitimate channel for assessing current community norms and values. Additionally, the process is guided by community ownership which recognizes that while community-based organizations can play a facilitating role, projects to change harmful norms and practices must be led by the community members themselves.[121]

    The methodology builds upon the Stages of Change model frequently used in public health research to describe the process of change within individuals and scales up this concept for application at the community level, recognizing that communities can also move through various stages of change.[122]

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119 Lori Michau, "Approaching Old Problems in New Ways: Community Mobilisation as a Primary Prevention Strategy to Combat Violence against Women," *Gender and Development*, (2007) 15: 95-97.
120 Raising Voices, "Preventing Violence Against Women: Program Tools: Mobilising Communities to Prevent Domestic Violence: A Resource Guide for Organisations in East and Southern Africa," October 19, 2010. See http://www.raisingvoices.org/women/mobilizing_communities.php.
121 Lori Michau and Dipak Nakur, *"Mobilising Communities to Prevent Domestic Violence: A Resource Guide for Communities in East and Southern Africa,"* Raising Voices (2003): 13-14. See http://www.raisingvoices.org/women/mobilizing_communities.php.
122 Michau, "Approaching Old Problems in New Ways," 102.

The resulting "Phases of Community Mobilisation" model delineates five phases in promoting change at the community level:

- conducting a community assessment to obtain information on community norms and attitudes about violence and identifying and engaging key partners;
- increasing awareness of the causes and consequences of violence against women within the community and among staff in key sectors such as health, social services, law enforcement, and religious institutions;
- building networks among professional sectors and community members to identify group efforts to prevent and respond to violence;
- integrating action into policies and practices of local institutions; and
- consolidating efforts to strengthen and ensure the sustainability of action and activities.[123]

The organization of the intervention into phases provides a structured process for implementing the range of community activities necessary to establish a community-wide network of prevention and response.

The guide also provides a range of strategies for organizing and implementing activities during each project phase. Strategies aim to engage a broad range of community members and groups to increase community ownership and sustainability, and include building the capacity of local officials and service providers, creating educational materials, holding events for the media and public, conducting advocacy campaigns, and establishing community action groups.[124]

The Raising Voices methodology has been successfully implemented in a number of communities. For example, the Center for Domestic Violence Prevention (CEDOVIP) in Uganda was an initial pilot site and success story in implementing this model. For over four years, CEDOVIP implemented the Domestic Violence Demonstration Project, a sustained effort to develop coordinated systems of prevention and response to domestic violence in the Kawempe Division of Northern Kampala. CEDOVIP identified and worked with staff of local institutions, parish chiefs, and village-level government officials to increase their understanding of domestic violence and influence policy and practice. They collaborated with the Uganda Police Force to institutionalize an effective response to reported cases of domestic violence, and worked with healthcare workers to establish a protocol for caring for survivors of violence in the major clinics in Kawempe. The ongoing implementation of these activities was supported through staff development workshops and regular monitoring visits to provide feedback and support.

By 2006, they had engaged 93 community volunteers to respond to violence within their communities by training teams of community-based counselors, male activists and male peer support groups, and neighborhood-watch groups. They also established 32 Community Action Groups comprised

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[123] Michau, "Mobilising Communities to Prevent Domestic Violence: A Resource Guide," 16-17.
[124] Ibid, 17-18.

of members of community-based organizations and faith-based institutions, that serve as visible and accessible support networks to survivors by providing referrals to services and following up on cases, implementing activities in the community to increase awareness (community theater, outreach, and education), and advocating for the passage of local laws to protect women from violence.[125]

Although CEDOVIP facilitated the process, the project was ultimately led and   implemented by community members, which both strengthened their capacity to carry out activities and created a sense of ownership that has resulted in a more sustainable response effort.[126] The project encouraged local government authorities to pass a domestic violence by-law in the Kawempe Division in 2007. As a result of coordinated and sustained project activities, local networks and services are now in place to support survivors, institutions are more sensitive and responsive to cases, and the level of social acceptance of violence against women has shifted.[127]

ii. Avances de Paz Project: USAID Health Policy Initiative

Another promising methodology for developing a coordinated community response to gender-based violence currently in development is the Avances de Paz, a pilot project of USAID's Health Policy Initiative. Avances de Paz was implemented from 2006 to 2008 in Bolivia, as an effort to support the implementation of national policies to prevent gender-based violence at the local level within four municipalities. The goal of the project was to develop and field-test a participatory intervention methodology for promoting the social and institutional changes needed at the community level in order to effectively prevent and respond to GBV. The project also aimed to build the capacity of "policy champions," youth and adults from a range of constituencies, to define and advocate for effective local responses to GBV and to monitor the implementation of related laws within their communities.[128]

To promote local ownership of the project, a technical advisory group comprised of representatives from both local government and civil society organizations was developed and the intervention was carried out by local NGOs trusted by the community.[129] Local facilitators were selected and extensively trained to implement the 4-part intervention methodology: 1) self-diagnosis, 2) participatory analysis of the situation, including analysis of the root causes and the development of action

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[125] Ibid.

[126] Raising Voices and UN Habitat, "Preventing Gender-Based Violence in the Horn, East, and Southern Africa: a Regional Dialogue" (2004): 16-17.

[127] Lori Michau, "Approaching Old Problems in New Ways: Community Mobilisation as a Primary Prevention Strategy to Combat Violence against Women," *Gender and Development* 15 (2007): 106-107.

[128] USAID Health Policy Initiative, "Strengthening Implementation of Gender-Based Violence Policies in Bolivia: Analysis and Implementation Advocacy in the Avances de Paz Project," *USAID* (2010): 2-3. See http://www.healthpolicyinitiative.com/Publications/Documents/1338_1_Bolivia_GBV_Final_Report_FINAL_acc.pdf.

[129] Ibid, 5.

plans, 3) advocacy for funding and implementation of action plans, and 4) implementation and monitoring.[130] Groups of community members, adults and adolescents, were recruited by partner organizations to participate in a series of focus groups that guided them through this process.

The training module first asks community members to identify forms of gender-based violence and the impact it has on their lives. This process of discovery emphasizes grassroots-level action by enabling participants to recognize violence within their communities and their responsibility for preventing it. Participants then identify ways to improve the capacity of their community to prevent and respond to violence, develop action plans, and engage in social action and advocacy for the funding and implementation of action plans under the local budget. Once funded, community members continue to be active through citizen monitoring and accountability mechanisms such as neighborhood watch groups.[131] At the same time, a parallel training process, modified to require a shorter time commitment, is carried out among local government authorities and key service providers such as police, healthcare workers, and judges. This creates an enabling environment for policymakers to respond to community advocacy for change.[132]

Nearly 1,000 people participated in the process across the four municipalities, almost half of whom were youth.[133] A recent evaluation found that the Avances de Paz methodology has had a far-reaching influence across Bolivia. Authorities took ownership of the communities' resulting action plans because they had been engaged in the process from inception. It has generated new funding from municipalities to implement action plans, increased awareness and changed community views of GBV, and has already been adopted for replication in eight other municipalities.[134] Final versions of the methodological toolkit were submitted in September 2010 and are currently under review.[135]

Both the Raising Voices and Avances de Paz methodologies provide promising, step-by-step frameworks for facilitating the development of local networks and engaging entire communities in coordinated community prevention and response to sexual and gender-based violence. The models are transferable to different cultural and geographic contexts because the guidelines engage a range of stakeholders in the assessment and planning process to ensure that coordinated community response activities are generated with a consideration of the local context. However, coordinated approaches aimed

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[130] USAID Health Policy Initiative, "Stories from the Field: Bolivian Communities Take Action Against GBV" USAID Health Policy Initiative: Task Order 1: (2009), 1-2.
[131] USAID Health Policy Initiative, "Strengthening Implementation of Gender-Based Violence Policies in Bolivia," 7-8.
[132] Ibid.
[133] USAID Health Policy Initiative, "Stories from the Field," 2.
[134] USAID Health Policy Initiative, "Strengthening Implementation of Gender-Based Violence Policies in Bolivia," 12-20.
[135] Ibid, 2.

at creating lasting change within communities also present challenges by requiring a substantial amount of time and resources to sustain ongoing activities. The complexity and expansiveness of multi-sectoral, multilevel initiatives also creates unique challenges for evaluation as they require more data collection and coordination; it is often difficult to link specific activities with changes that occur within the community.[136]

*c.  Coordinating Response Efforts in Conflict-Affected Areas*

During periods of conflict and post-conflict, women and children are at increased risk for sexual violence because community and family structures are disrupted. In the process of fleeing the conflict and seeking shelter in camps for refugees or the internally displaced, women and children may be separated from their families, and are vulnerable to rape, sexual assault, or exploitation by people in authority or the armed forces. In addition, because local infrastructure is often destroyed in situations of conflict and political unrest, few support systems and services may be in place to protect and support survivors as they return to their home communities and begin the reconstruction process. The following outlines strategies for developing coordinated networks of prevention and response in conflict-affected areas.[137]

i.  UNHCR Guidelines for Prevention and Response to Sexual and Gender-based Violence

In response to the increasing need for protection, the UN High Commission for Refugees (UNHCR) produced "Sexual and Gender-Based Violence against Refugees, Returnees, and Internally Displaced Persons: Guidelines for Prevention and Response" in 2003, a handbook that provides guiding principles, strategies, and a comprehensive framework for developing a multi-sectoral approach to addressing sexual violence against individuals uprooted by conflict. The guide provides a range of prevention strategies to address the causes of violence and change harmful socio-cultural norms, and emphasizes the significant role of the refugee community in designing and implementing these activities.[138]

The handbook outlines a method for developing coordinated multi-sectoral systems in camp settings and provides extensive guidance for establishing an effective response within each sector. In addition, it specifies procedures for responding to child survivors. A step-by-step framework for developing a coordinated plan of action includes: 1) identifying and engaging key actors, 2) developing a

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[136] Lori Michau, "Approaching Old Problems in New Ways," 106. See also Edison Trickett, "Multilevel Community-Based Culturally Situated Interventions," 627-629.

[137] Independent evaluations of programs to prevent and respond to sexual violence in conflict-affected areas are needed.

[138] UNHCR, "Sexual and Gender-Based Violence against Refugees, Returnees, and Internally Displaced Persons: Guidelines for Prevention and Response" (2003), 27-28. The full guide is available at http://www.unhcr.org/3f696bcc4.html.

shared understanding of sexual and gender-based violence and agreeing on the scope of action, 3) conducting a situational analysis, 4) defining the roles and responsibilities of each actor , and 5) creating reporting and referral processes. Mechanisms for monitoring and evaluation are also suggested in order to assess the impact of coordinated prevention and response programs.[139]

Translating these guidelines into practice, UNCHR's  Sexual and Gender-Based Violence Program, in collaboration with the International Rescue Committee (IRC), coordinates systems of prevention and response in Mtabila and Nyarugusu, two refugee camps in Northwestern Tanzania. The camps serve primarily refugees from Burundi and the Democratic Republic of the Congo, seeking protection from war and ethno-political violence.[140] The system within each camp includes a drop-in center offering psychosocial counseling, legal aid or referrals to legal aid providers, and basic needs such as food and clothing. Staff at the center receive incident reports, maintain case files and documentation, and ensure that survivors seek medical treatment within 72 hours of incidents, often accompanying victims to the on-site refugee health center.[141] In addition, each camp has a health center on-site, staffed by a medical doctor, that provides medical examinations and treatment, medico-legal documentation, and assessment and referral to psychosocial counseling services.[142]

As facilitator of the network, the UNHCR Protection Unit oversees the coordination of all activities related to security and protection, including monitoring the progress of all cases reported to the police and those pending in court. Protection officers regularly compile data and produce quarterly reports with analyses of the situation of SGBV in each camp, including outcomes of legal cases, utilization of health and community services, successful prevention strategies, and challenges. UNHCR also facilitates monthly multi-sectoral meetings attended by all actors to enhance coordination, monitor progress, and discuss program development and activities.[143]

Although camp settings allow for a more systematic response due to their smaller geographic location and external funding sources, the program model has been highlighted as a promising practice by USAID with the potential for upscaling and broader implementation to address sexual and gender-based violence within the general population.[144]  Other organizations have since established similar programs in

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[139] UNHCR, "Guidelines," 97-108.
[140] International Rescue Committee, "The IRC in Tanzania," October 19, 2010.  See http://www.theirc.org/where/tanzania.
[141] United Nations High Commissioner for Refugees, "Standard Operating Procedures for Prevention and Response to SGBV in Tanzania" (2007): 15-16.
[142] Ibid, 16.
[143] Ibid, 8-9, 13, 17-18.
[144] Betron, Myra. "Gender-Based Violence in Tanzania: An Assessment of Policies, Services, and Promising Interventions."  *USAID Health Policy Initiative*. (2008): 21-22.

other refugee camps, and the IRC has engaged in training NGO staff, police, and local government officials throughout the region.[145]

At the same time, although UNHCR has developed comprehensive guidelines for prevention and response to SGBV in displacement contexts, they are often not translated into actual implementation on the ground. For example, a study by Human Rights Watch in 2010 highlighted the lack of response to sexual violence in the Dadaab refugee camps in Kenya due to a dysfunctional camp policing system with limited capacity to protect survivors[146]. Through interviews with women and girls living in the camps, they found that in the majority of incidences when women reported the crimes to the police, there was no action taken to investigate the case. This also greatly impedes the prosecution of sexual violence, as the police are also responsible for prosecuting crimes tried in lower courts, which includes the majority of sexual offenses[147]. A report by Amnesty International in 2010 highlighted a similar lack of overall response and protection services for survivors of sexual violence in the temporary camps for those displaced by the earthquake in Haiti. Sexual violence in the camps is widespread, and the lack of police capacity to protect survivors and a respond timely to cases has resulted in impunity.[148] Women and girls reported a constant feeling of fear and insecurity, especially at night. There are also no safe shelters in the camps in Haiti where survivors of sexual violence can seek protection and support services[149]. It is critical that such guidelines for prevention and response are matched with adequate resources for camp authorities, law enforcement, and service providers to meet the protection and services needs of survivors of sexual violence in each context.

ii. Coordinated Response by the Faith-Based Community: Nehemiah Committees

As individuals return to their communities after periods of violence and political unrest, infrastructure and support systems are often no longer place. In areas of northeastern DRC, leaders of the faith-based community recognized the need to ensure that protection and support were available to survivors of sexual violence and trauma returning home and joined together to address this gap. The Nehemiah Initiative, currently supported by Heal Africa, is an interfaith program initially created by local leaders in an effort to establish local support for survivors of sexual violence, orphans, widows and other vulnerable

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[145] Reproductive Health Responses in Crisis Consortium, "Gender-Based Violence." September 23,10. http://www.rhrc.org/rhr_basics/gbv.html
[146] Human Rights Watch, "Welcome to Kenya: Police Abuse of Somali Refugees," (2010): 46-51.
[147] Ibid.
[148] Amnesty International, "Haiti's Emergency Response Must Include Protection from Sexual Violence," (2010), Accessed April 26, 2010, http://www.unhcr.org/refworld/docid/4bb06c421e.html.
[149] Ibid.

populations.[150] Nehemiah committees, named after the biblical story of Nehemiah who returns to rebuild his city after the war, are composed of religious leaders of different faiths, tribal leaders, and activists trained in conflict resolution and community mobilization. Together, they work to develop creative and sustainable solutions to problems using resources within their communities.[151]

According to the Director of Communications and Partnership Development, Bridget Nolan, Nehemiah Committees have also become a "gateway" to implementing and promoting community ownership of other programs. For example, Nehemiah Committees administer Heal Africa's microfinance program by reviewing applications and providing loans. In one remote area, they even pooled community resources to build a health clinic.[152] Committees also assist survivors of rape and sexual violence to reintegrate in their communities and sensitize communities to reduce the stigma of rape, traumatic fistula, and HIV. They also work to identify, or build shelter for, survivors of rape who are no longer able to return to their homes.[153] Since 2004, Heal Africa has established over 140 committees throughout rural villages in and around Goma. They have assisted over 15,000 women and girls who have been raped, and supported the development of safe houses in 28 villages.[154]

In post-conflict settings, a lack of functional community-based institutions and resources may prohibit a more formal, systematic response to sexual violence. However, Nehemiah Committees exemplify a support network of local leaders who can identify effective solutions to support survivors of violence in resource-constrained settings.

   iii.  Utilizing Technology to Coordinate Rapid Response in Haiti's Camps

Digital Democracy, a nonprofit organization that uses digital technology to build the capacity of marginalized communities, currently partners with grassroots organizations in Haiti to address the increasing rates of sexual violence within the tent-camps that covered Port-Au-Prince after the January 2010, earthquake. As part of the Clinton Global Initiative, Digital Democracy provides women with the tools needed to organize and respond to sexual violence by training leaders in key human rights organizations to track and respond to incidents of rape through the use of mobile phones and a digitized

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[150] Bridget Nolan, Director of Communications and Partnership Development, Heal Africa, personal communication, October 21, 2010. See also Heal Africa, "Nehemiah Committee," October 29, 2010. See http://www.healafrica.org/news-c-4.html/nehemiah-committees/.
[151] Ibid.
[152] Bridget Nolan, Director of Communications and Partnership Development, Heal Africa, personal communication, October 21, 2010.
[153] Ibid.
[154] Heal Africa, "Action in Community," October 12, 2010. See http://www.healafrica.org/action-in-community-p-13.html.

database.[155] Digital Democracy's Handheld Human Rights program, which has been adapted for use in Haiti, connects responders through tools including mobile phones and digital pens, enabling them to communicate more securely, document incidents of rape, and make data accessible in order to facilitate rapid service provision.[156] Digital Democracy has also held workshops to train women to use digital cameras to document their lives and increase awareness of sexual and gender-based violence.[157] They have also implemented a citizen-reporting initiative during the presidential and parliamentary elections in November 2010 in which 50 women were trained to use these tools to document and report on election-related violence.[158] In March 2010, Digital Democracy piloted a digital database enabling their partner the Commission of Women Victims for Victims (KOFAVIV) to turn hundreds of paper intake forms into electronic data that can be mapped and analyzed for trends and shared with other service providers. The database can be customized to meet the needs of any group providing services to SGBV providers[159].

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[155] Digital Democracy, "Using Tech to Fight Gender-Based Violence in Haiti: Digital Democracy Makes Official Commitment for CGI," *Digital Democracy* (2010): 1. See http://digital-democracy.org/2010/09/20/commitment-to-clinton-global-a-visitor-from-haiti/.

[156] Liz Hodes, "Episode 9: Handheld Human Rights," Digital Democracy. See http://digital-democracy.org/2010/02/01/ddtv-episode-9-handheld-human-rights/.

[157] Liz Hodes, "Episode 13: Life After the Earthquake: the Situation for Haitian Women," Digital Democracy. See http://digital-democracy.org/2010/08/03/ddtv-ep-13-life-after-the-earthquake-the-situation-for-haitian-women/.

[158] Emily Jacobi, "Announcing Support from US Institute of Peace for Haiti Program," Digital Democracy, http://digital-democracy.org/2010/10/25/announcing-support-from-us-institute-of-peace-for-haiti-program/

[159] Emily Jacobi, "Celebrating International Women's Day from Haiti," Digital Democracy, http://digital-democracy.org/2011/03/10/celebrating-international-womens-day-from-haiti/.

**VII. Conclusion**

As illustrated throughout this paper, community-based approaches take diverse forms and are most effective when they reflect the local setting as well as the specific needs of individual victims. This paper has identified three levels of response: individual, organizational, and network; all are crucial components of comprehensive responses to sexual violence. Regardless of the model used, community-based approaches should include education for local populations and service-providers, support victims, and reinforce institutional capacity. Successful models require the engagement of key actors linked into a mutually reinforcing system across the medical, legal, and psychosocial sectors. As community-based initiatives are the link between ideals of accountability and on-the-ground reality, it is important that they collaborate with actors already engaged in the community and incorporate existing resources and local infrastructure. In doing so, such approaches assist in positively changing community norms and achieving goals of accountability.

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