

Access to Justice for GBV Victims: Achievements, Barriers and Recommendations



Partners in providing legal assistance to victims of GBV and child abuse

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Foreword

Gender-based violence (GBV) is one of the most atrocious violations of human rights which affects mostly women and girls. Its impact ranges from immediate to long-term physical, sexual and psychological consequences, in some cases, leading to death. The negative consequences not only affect the victim, but bleed over to their families, communities, and country at large: from greater health care and legal expenses to losses in productivity, therefore impacting national budgets and overall country's development.

The recent data published by WHO in 2019 stressed that 1 in 3 (35%) women globally has experienced physical and/or sexual violence in their lifetime, and between 38%-50% of murders of women are committed by intimate partners.

In Rwanda, as per the Demographic and Household Survey (DHS) 2014/15, 22% of women have suffered sexual violence in their lives compared to only 5% of men. The Violence Against Children and Youth Survey (2015-2016) also showed that 24% of girls had experienced sexual violence prior to age 18, compared to 10% of boys.

Harmful social and cultural norms, as well as the economic dependence of women against men are among the key underlying causes and drivers of violence against women and girls in Rwanda, and in many other countries across the globe.

UN Women provides strategic, technical and financial support in both prevention and response to GBV in close collaboration with the Government of Rwanda, the ONE UN Family, and Development Partners especially the Government of the Royal Kingdom of Netherlands, and the Government of Switzerland through the Swiss Development Cooperation.

Prevention efforts are conducted through awareness-raising, accountability mechanisms, and response mechanisms, through scaling up the Isange One Stop Centres (IOSCs) for increased proximity of services to the community, capacity enhancement of GBV service providers, as well as legal assistance to GBV victims, advocacy and generation of gender disaggregated data for evidence-based advocacy, programming and decision making.

UN Women also supports the socioeconomic reintegration of GBV victims including teen mothers, which reduces stigma and marginalization. This publication sheds light on the present state of violence against women with an emphasis on women's limited access to justice, how it hinders the journey towards attaining gender equality, and what needs to be done moving forward. A special vote of thanks goes to our partners for their relentless efforts in collaborating and supporting GBV prevention, response, and access to justice for victims of GBV.

Fatou Lo,
UN Women Representative in Rwanda

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We exceedingly thank the victims of violence who, regardless of the harrowing and traumatic recollections of their experiences, didn't hesitate to share their stories. It is because of their courage therefore that this documentation was made possible. Through this report, we honour their bravery and determination for seeking the justice that is owed to them.

We also want to thank the lawyers, social workers and other stakeholders at the grass root level. We commend their tremendous efforts in the implementation and success level of this project. Without their role, execution of this task would otherwise have been hard.

Special thanks also goes to the officials from Haguruka and Rwanda Bar Association, among other partner institutions and organisations- their contribution was very instrumental in the implementation of this project. Their unwavering support through detailed interviews and availing of required documents was vital as well in the documentation of this report.

Executive summary

Last year, UN Women in partnership with Haguruka and Rwanda Bar Association joined efforts to address one of the challenges that is holding back the fight for women's rights, which is, inadequate access to justice

Through this partnership, they reached out to different areas all over the country with a mission to help vulnerable women and children, especially those that are suffering or survived gender based violence.

The partnership aimed at strengthening legal literacy and assistance towards GBV victims. And indeed this yielded compelling results for the number of victims supported by both Haguruka and Rwanda Bar Association were 681 (504 were women and 177 were men). This was attained through provision of legal aid.

Through different campaigns and interventions, the different stakeholders involved worked tirelessly to help victims of violence attain justice. Cases handled cut across issues of paternity, divorce, domestic abuse, property and domestic wrangles among others.

This partnership's core of operation was compelled by the fact that violence against women constrains the realisation of women's human rights and, lack of access to justice thereof- an indicator or tool that retains gender inequalities.

Through platforms such as community outreach and media sensitisation, messages on how full empowerment and protection of women's rights, with access to justice as the highlight, were disseminated as one way to end this form of discrimination and violence.

It was also observed that there is need for law enforcement and support to GBV victims both in rural and urban areas leaving no one behind to access justice. This can be achieved with support from different partners including local leaders and communities, justice sector, men and boys, CSOs, media among others.

This report hence highlights achievements, challenges faced by GBV victims in relation to access to justice but also provides recommendations for improvement.

Introduction

Violence against women and girls has prevailed for decades and it continues to be a persistent human rights violation all over the world. Its prevalence has proved to be a concerning issue that not only poses devastating effects for victims alone but for their families and communities as well, not forgetting the social and economic costs it imposes on society.

Information from the World Health Organisation indicates that an estimation of 35 per cent of women worldwide have experienced either physical and/or sexual intimate partner violence or sexual violence by a non-partner (not including sexual harassment) at some point in their lives.

It also shows that an estimated number of the 87,000 women who were intentionally killed in 2017 globally, more than half were killed by intimate partners or family members, meaning that 137 women across the world are killed by a member of their own family every day. More than a third of the women intentionally killed in 2017 were killed by their current or former intimate partner.

The distressing impact of violence ranges from immediate to long-term consequences that adversely affect women's welfare and as such, prevents them from fully participating in society or even realising their potential.

A number of countries have conducted surveys to understand the nature and extent of GBV and emerging trends. Laws have been passed on domestic and sexual harassment, however obstacles still prevail.

In Rwanda for example, GBV persists primarily for women and girls, but also for men and boys throughout the country. The National Demographic Health Survey (DHS) 2014-2015 reports over 35% of women experience physical violence in their lifetime.

In 2014, cases of gender based violence stood at 1433 for defilement cases, rape cases were 284 and 541 for physical abuse. About 37 women were murdered by their husbands and 271 were cases of women battered in that same year, according to Rwanda National Police.



The distressing impact of violence ranges from immediate to long-term consequences that adversely affect women's welfare.

The Health Management Information System (HMIS) managed by the Ministry of Health shows that on average, 20,000 victims of Gender-based violence access services from IOSCs across the country; half of them being girls under 18 years of age, and victims of sexual violence. However, the number of prosecuted cases remains very low, which requires continuous awareness-raising for timely reporting but also increased legal assistance to the victims.

For example, in 2016-2017, a total of 1,772 cases of GBV and child abuse cases involving 1,780 suspects were prosecuted. The prosecution won 1,488 cases of these cases which translates into a conviction rate of 84%. In 2017-2018, the cases of GBV and child abuse cases prosecuted were 2,293 with 2,487 suspects. The prosecution won 1,903 cases, hence a conviction rate of 83%. In 2018-2019, Rwandan courts gave verdicts in 2,537 cases of GBV and child abuse involving 2,768 suspects. The prosecution won 1,985 cases, which means the conviction rate reached 78.2%.* The decrease in conviction rates is likely the result of delayed reporting of GBV cases, the damage of forensic evidence, and high economic dependence of the victims to perpetrators and family pressures leading to the withdrawal of legal complaints.

These numbers show that despite efforts and policies in place to fight this vice, a number of obstacles still prevail and one of these includes challenges that obstruct women from accessing justice.

Research and testimonies show that the road to seeking justice for many women is still rough with a number of impeding obstacles that bar them from accessing a world free from prejudice.

Appropriate access to justice for women would mean attaining a fast, effective and just system to defend their rights through an apparent and competent process, conducted on grounds of equality. This would also mean convenience of mechanisms that are accessible, affordable and accountable.

Women's rights and their full and effective access to justice are integral parts of the overall justice system, which should exclude any discriminatory activity. Unfortunately, this has not been the case yet requirements of equality especially gender equality should be grounded in the connotation and implementation of the right to justice.

It is on such grounds that UN Women with financial support from the Dutch Government, in collaboration with Haguruka has been working tirelessly to increase women's access to justice, right from the local to national levels through approaches such as mobile legal clinics that enable legal services to be brought closer to the community.

Addressing gender based violence is a significant step and it can only be realized by the advancement of platforms that can help challenge this.



Challenges that include patterns of violence against women have continued to prevail.

A holistic approach to GBV Response

The 2030 agenda for sustainable development whose commitment is to eradicate poverty and achieve sustainable development by 2030 world-wide, also promises to leave no one behind. However, challenges that include patterns of violence against women have continued to prevail.

It is therefore paramount for women's access to justice to connote a significant part of this endeavour because when the ecosystem is gender responsive, women are encouraged to proclaim their social, economic, cultural, political and civil rights- hence a holistic approach for development.

The Government of Rwanda has hence made ending gender based violence a priority. Strategies for addressing the problem include a policy of 'zero tolerance' to GBV across all sectors. This is done through a strong legal and supportive framework including an anti-GBV law which provides severe punishment for all GBV and violence against women offenses.

An outstanding model of response to this framework is the Isange One Stop Centre (IOSC) whose actions are based on a holistic and multidisciplinary approach.

This approach encompasses psychological, medical, forensic/ investigation and legal support which mostly includes assistance in the collection of evidence to prosecute the crime committed as a result of the assault as well as availing lawyers to defend victims in court.

Victims also have access to social workers, medical doctors, forensic experts, psychologists, and investigators.

A document about Isange One Stop Centre's strategic plan (2020 -2025) indicates that ever since the establishment of this centre in 2009, thousands of women, men, boys and girls have benefited from the free services offered. In previous three years (2016/2018), over 49,850 cases of GBV and child abuse have been received by the IOSC1.

The centre, which is an all-inclusive hub for survivors of gender-based violence, aims at helping victims restore their dignity, sense of value and to realise that they are not defined by the acts of violence committed against them.

The role of community dialogues in addressing GBV

Cultural and patriarchal stereotypes and attitudes still play a big role in fueling GBV in Rwanda as elsewhere. The family remains a construction site for gendered attitudes, roles and expectations. Shrouded in a culture of silence, families prefer to resolve GBV cases within and among themselves. This compromises reporting, service seeking and justice for survivors.

Through community dialogues, communities had safe places to discuss issues- that were obscure in regards of violence but somewhat familiar to their daily life. For example, it was hard for them to comprehend that what they considered 'normal' was in fact perpetuating the cause of desolation (in this case, violence) their communities faced.

Maniraguha's journey from despair to victory

40-year-old Djanati Maniraguha, a resident of Nyabihu district faced turmoil following a man's betrayal. Her life had turned upside down till the day she was saved by the courts of law, thanks to Haguruka, a non-government organisation that works towards defending the rights of women and children.

Her grief, was as a result of choices that ended in polygamy and misunderstandings between herself and the father of her child, with issues of paternity.

How it all started

Maniraguha, was a casual worker juggling petty jobs like doing laundry and housework for survival when she started courting a man who happened to be married. He had wooed her by promising to marry her and make her his second wife, but this was on condition that she gives him a child first.

With this therefore, Maniraguha conceived in only a few months into their relationship, she was 22 years old at the time. But to her shock, what ensued was havoc and heartache.

At only five months pregnant, the man brought another woman in the house, and when she couldn't stand this, she was impelled to pack her bags and leave.

Her story came to intertwine with that of most women who have kids out of wedlock.

Maniraguha was set to raise her child alone after the man denied being responsible for the pregnancy. She accepted her fate and was determined to be the father and mother of her unborn child but the problem was that she lacked the necessary resources to do that.

She moved back home (with her parents) where she had her child from, she was lucky to have parents who lent her a helping hand. Nonetheless, she was taunted by the humiliation of having a child who had no father to claim them.

“

It was too much of a burden to bare yet my child's father was still alive but deliberately refused to be part of any of this," she says.

Worst of all, he continuously chose to hurt her physically and mentally as he mocked her that her daughter and her, were HIV positive. He distanced himself saying that he couldn't be a father to an infected child.

This perplexed Maniraguha, it was hard to believe that this man who was once caring had turned to this form of cruelty.

Victory at last

She battled with this pain and betrayal till her child turned 17, and at this point Maniraguha decided that enough was enough.

She tried reporting the man, though it was difficult since he bribed every local authority she approached. But in 2019, when Haguruka approached her area offering legal services, she was among those who were helped to take their cases to court.

What followed was DNA testing and the results confirmed that the man was indeed the father. He was hence ordered by the court to offer Maniraguha a living allowance and refund her for all costs she had incurred during the case.

After this long struggle, Maniraguha had victory at last. She felt overjoyed for God had answered her prayers. Her daughter, even though she had a complicated childhood, is now in high school and living her life, she says.

She however still questions the role of some local authorities when it comes to handling such issues noting that they made her life hard. This she says, worries her that many other women are suffering because of them.

“

It is sad that in many cases when someone is poor, they can't win cases even if they are right. This is unfair,"

From the case reimbursements, she managed to start a small business where she sells charcoal and tomatoes. She also takes on other part-time jobs, and with this, she manages to make ends meet.

“

For sure I would like to extend my gratitude to Haguruka for the assistance and endless support they offered, because of them, I can smile again," she says.

Challenges in bringing perpetrators to justice

It was observed that provision of justice to teen mothers, child abuse and GBV survivors while holding perpetrators accountable for their crimes continued to be hampered by cultural beliefs, economic dependency, fear of discrimination, stigmatisation among others.

Yet again it happens that some families opt for arranged marriages for victims to protect themselves from shame and ridicule. Some of the few who report, tend to do so when it's too late to enable collection of evidence that could be used in court.

Other factors that tend to limit the reporting of such cases include dependence on the perpetrator, fear, a feeling that nothing will change and pressure to preserve the marriage. For male

survivors, service seeking is limited mainly by the fear of ridicule, loss of influence and influence of societal norms.

The fact that some forms of GBV are culturally accepted complicates and compromises response measures. Coupled with gendered power imbalances, the culture of silence and the high levels of tolerance and non-reporting, the practice of GBV in Rwanda has created an internal self-sustaining cycle which can only be broken through combined efforts of transformative and strategic engagement with communities and their leaders and law enforcement.



Provision of justice to GBV survivors is hampered by cultural beliefs and economic dependency among other factors

Iradukunda's story of courage and resilience

Divine Iradukunda resides in Kigabiro village, Nyarushekeri sector. She was unfortunate to drop out of school after conceiving at a tender age of 17.

As if her destiny hadn't spiralled fast enough, the 22-year-old had her second baby with another man, the village leader, who was supposed to help her bring her first baby father to justice.

When Iradukunda went to report her case (of her first man who didn't assume responsibility), the local leader used this chance to trick her into having intimate relationships with her.

“

He told me that he had the documents I wanted to seek help and that I had to go pick them from his home. Because I desperately needed them to proceed with the legal process, I went there. I still recall everything, it was on Monday, August 14, 2017. Upon reaching his home, he immediately locked the house as soon as I entered. I was puzzled but couldn't scream for help in fear of what people would think of me, they would wonder why I had entered the house in the first place. So I ended up sleeping with him, and that's when I got pregnant with my second child.”

Rescued by courage

The local leader denied responsibility too, just like the first one did. But this time Iradukunda was determined to seek justice. She went to report to the sector's executive secretary but the man denied having anything to do with her.

However on this particular day, there was an event in the village and it comprised of top leadership from the District including the vice mayor and delegates from Haguruka. That is how she got to know about the NGO.

In the session for questions, Iradukunda boldly stood up and narrated her ordeal, and from then on officials from Haguruka took on her case. Through various court hearings and DNA testing, Iradukunda won the case and the man was ordered to give her child support on a monthly basis.

“

Even though the money he gives me is little, I am happy that he at least contributes and my child has a father after all and this is what I am proud of mostly,” she says.

She extends gratitude to Haguruka for their kind support because without them, she couldn't have handled everything on her own, she adds.

The remarkable role of dialogues

Community dialogues were held through public awareness on women's rights and legal literacy, as well as awareness on promotion of zero tolerance for GBV where various topics of violence were discussed including clarification of various forms of GBV, consequences, prevention and response including the importance of timely reporting. A very big number of people were reached with messages on GBV through community radios.

Local leaders on the other hand were encouraged to recognise their roles. They were reminded to be at the frontline of this fight as people entrusted by the community since GBV cases are sometimes reported to them before any other responsible party- this consequently increased their capacity on GBV prevention and response as well as their accountability towards GBV prevention and response.

In addition to the role of local leaders, stakeholders recognised the need for strengthening of women's economic empowerment.

As it turns out, these efforts yielded positive results, for the orientation of GBV survivors to services offered by Isange One-stop Centres aided swift collection of evidence pertaining cases.

Victims also had increased responsiveness on legal frameworks governing women's rights and anti-GBV laws, as well as stimulating GBV survivors to speak out their issues.

The training of legal practitioners/legal advocates (which was part of the project) acted as an eye opener and an opportunity to share experiences and challenges in dealing with GBV issues.



Stakeholders recognised the need for strengthening of women's economic empowerment

Niyonsaba on dealing with the wrath of violence and rape

In her search for employment, Claudine Niyonsaba a resident of Kamonyi District in Southern Province, fell prey in the hands of an impostor who later violated her.

Two years ago, a stranger contacted her on the phone promising to offer her a job. At first she was hesitant since she didn't know the man, but she later decided to meet him and try out her luck.

“

The man kept on insisting that he knew me and that he wanted me to go work with him and his wife. That someone had recommended me as a good girl who was also hard working,” she recalls.

One day she eventually agreed to meet the man- they met in Rwamagana, Eastern province. But as they set out to head to the alleged place of employment, Niyonsaba found herself being drawn towards an isolated place. She tried to resist but it was too late.

“

This strange man took me to a forest, he threatened me with a knife and told me not to fight or scream. This is when he raped me, he also took photos of me when I was naked and ran away with my phone as well,” the 25-year-old recounts.

Niyonsaba says she narrowly survived with her life and when she was finally left to go, she went straight to her aunt at home and told her what had happened.

“

I was immediately taken to the hospital for medical help and we also reported the case to local authorities. This helped us in retaining evidence,” she says.

However, though they had sought justice early, nothing seemed to work and the perpetrator was still on the loose.

“

Eventually we were recommended to approach Rwanda Bar Association. When we approached them, they immediately helped us find a lawyer who defended me,” Niyonsaba says.

She says regardless of the pain and trauma she suffered, it gives her a sigh of relief that her betrayer is now behind bars.

“

The man was eventually arrested, the police was able to track him through my phone he had taken with him.”

The need of legal literacy and assistance for GBV Victims

Many forms of violence against women are rooted in power inequalities, gender norms and socio-cultural factors.

Last year, victims of violence in over 15 districts saw their lives change under Haguruka's project; "Legal knowledge and assistance to victims of gender-based violence."

Through local leaders, churches and by word-of-mouth; communities were bustling with the good news of well-wishers who had come to revive their welfare.

Their rights were defended, their dignities restored, and their perpetrators brought to justice. Victims were also fortunate enough to access adequate and enhanced knowledge on the legal framework governing issues around gender based violence.

And just like the project's mission, women, girls, boys and men were all engaged as community members in tackling gender inequality. They were encouraged to adopt a peaceful and healthy lifestyle.

At the centre of this transformation was the operation of mobile legal clinics that has been commended by both beneficiaries and service providers. It is because of them (mobile legal clinics) that the project's main goal of strengthening legal literacy and assistance for GBV victims was a success.



Victims were also fortunate enough to access adequate and enhanced knowledge on the legal framework governing issues around gender based violence.

Haguruka equipped

571

right-holders on GBV victims' case reporting and evidence preservation to defend their rights

407

Women

164

Men

42

rights holders accessed justice through legal representation in the courts of law.

30

were provided with legal brief drafting service

66

were given advocacy services

11

were given mediation services

71

were oriented to different concern institutions

351

were provided with legal advice.

As for RBA, 110 GBV victims (97 women and 13 men) were supported.

Usually it's the victims who seek out service providers but with these clinics, it was the other way round. Beneficiaries were sought after and in the comfort of their communities and homes, they were given space to pour out the distress of their experiences.



Many forms of violence against women are rooted in power inequalities, gender norms and socio-cultural factors

Donatha's encounter with an abusive partner

Her marriage started off on shaky grounds, so to make it work, Donatha thought she would please her man by having his child, and even though they were cohabiting, it didn't stop her from getting pregnant. She wanted to show loyalty and so she went on to conceive and gave her husband a son. She had no say in the home and she endured emotional and physical abuse.

That's what had destabilised their union in the first place, but the woman thought that a child would bring about a positive change. She was wrong about this because even after giving birth, the violence didn't stop.

“

My husband considered me less of a human being and more of an object, to him I was useless. To be honest, ever since I got married, I had never had any say on anything. I didn't hold any rights or control over the family properties. I lived such a desperate life for so long,” the 28-year-old narrates.

On top of the emotional torture, Donatha was physically abused as well. She vividly recalls this particular day that almost claimed her life.

“

My husband came home drunk and found me in the kitchen where I was preparing porridge, he insulted me and beat me, he also went on and took the porridge I was boiling and spilt it on my body,” she recalls.

This time, even the local authorities were overwhelmed by her husband's actions. It was them that took her to the hospital and later approached Haguruka (in Musanze) for legal assistance.

“

Haguruka took on my case with a lot of concern, and it collaborated with Isange One Stop Center and the Police to legally handle my case. This time, my husband was jailed for a couple of months, and was later released.”

These efforts were not in vain, because Donatha says their home experienced a whole new transformation especially that her husband changed for the better.

She says that Haguruka didn't stop to intervene even when her husband returned home from the jail, “they were helping us build a peaceful family and were regularly visiting, providing us with advice on how to build a happy family.”

“

He became a better man, he started to provide for the family and has apologized for all the wrong deeds he did to me. Today, our family is a role model for peaceful families in our locality. We thank Haguruka for all they did for us” she appreciates.

Nyirarugo's story

Therese Nyirarugo a resident of Nyakaliro, Rwamagana district, was impelled to drop out of school when she failed her Primary Leaving Examinations, little did she know that this was yet to drive her fate in yet a far worse and unfortunate direction.

When her former class teacher learnt about her situation, he was concerned enough to take her in and enrol her in a vocational school. Nyirarugo, who was only 16 years old at the time, beamed with hope and grabbed this opportunity with anticipations of yet a new chance for a bright future, or so she thought.

She had started staying with her 'supposed' guardian (and his wife) when things took an unexpected turn for Nyirarugo. It all started with little sexual advances from the man that later escalated into threats.

“

If you don't give in to my requests, I will stop paying for your school fees," the man had threatened.

Amidst shock and fear, Nyirarugo had tried to turn down his requests a number of times but she admits to giving in later with fear that she would lose her only chance at education. She consequently became pregnant and from then on, her life was never the same.

“

When I told him about it, he chased me away from home saying that I was going to cause trouble with his wife," she narrates.

She was only 18 and wasn't sure of what lay ahead of her. She was going to be a mother and the man responsible didn't want to hear any of it. Her dreams and hopes for a bright future had been shattered, she saw no hope for her and her unborn child.



Therese Nyirarugo says having a child who doesn't have a father is humiliating

Seeking justice

It's been 13 years now, and Nyirarugo has been struggling to care of her child by doing odd jobs and through support from her parents.

“

I was living at home with my parents and it was hard for me but what depressed me more was that my child didn't have a father. Not only wasn't he supporting us, he had also refused to acknowledge him as his son,” the 31-year-old narrates.

She had tried to seek assistance from local leaders but nothing seemed to work up until a friend told her about Haguruka.

“

I approached them last year and they briefed me about all the steps I was required to go through to get help. They helped me get access to a lawyer, they took the case to court and facilitated DNA testing, something that was crucial in winning our case. When the results confirmed that he was indeed the father of my child, the court ruled that he assumes responsibility, this was late last year,” she recalls

Her victory surpassed all the humiliation she had gone through and was most of all happy that she didn't give up even with the numerous threats from her child's father.

“

He used to scare me that I didn't know who he was and didn't know the person I was playing with. He said that if I went through with taking him to court, he would kill me. But I wasn't scared because I knew that the truth was on my side,” she says

Her child is now yet to finish primary school. She says that she is forever indebted for what Haguruka did for her.

“

Having a child who doesn't have a father is humiliating, raising a child alone too never gets easier and because of this, I am really thankful for what Hagurka did for me and other women in a similar situation like mine.”

Batamuriza shares her experience with a scheming husband

Flavienne Batamuriza's husband secretly married another woman, throwing away all the ten years they had been together as husband and wife.

While she was still nursing wounds of her broken heart and marriage, her husband went on to strip her off all property that they legally owned together. Left alone with her three children, she was on the verge being homeless and the man cared less of what became of his family.

“

He wanted to take all the property and the houses, at first I was scared to fight back. I didn't have money and this meant that I couldn't afford a lawyer,” Batamuriza says

The 31-year-old who is also a resident of Kacyiru, Gasabo District, later got wind of services offered by Rwanda Bar Association and it was last year that she approached them for legal assistance with her case.

The situation with her husband was a complicated one. When they got married, they were gifted with a house by her husband's friend, but they were also able to construct more two houses in the years they were together. They both financially contributed to this, according to Batamuriza.

However when their marriage hit the rocks and they were bound to separate, her husband forged stories that all houses belonged to his friend and that they were not theirs.

“

He started saying that those houses were not ours that it was the friend who gave him the money to construct them but it was all a lie. I used to get my savings from the clothes I used to sell and we used it to construct the houses. My business later collapsed but this didn't bother me because in my heart I knew the houses would give us money to support the family” she reveals.

“

He did this such that when we divorce I would not take anything. He wanted me to remain with nothing and take everything” she continues to narrate.

Her husband's action of betrayal shattered her wondering why on top of tearing up their marriage apart, he insisted on leaving her penniless.

“

I approached RBA last year and they helped me get a lawyer who helped me fight this battle. I wanted us to share all the houses because they rightfully belonged to us. And though we weren't able to share equally, the lawyers helped me remain with one house at least. It's where I stay with the kids, he was also obliged to give me a monthly allowance to support the family” she reveals.

The use of Mobile Legal Clinics to increase proximity of legal services to GBV Victims



Ninette Umurerwa, Executive Director of Haguruka

According to Ninette Umurerwa, the executive secretary of Haguruka, victims were reassured and happy for they didn't have to spend or travel back and forth as they went through the lengthy legal processes.

The clinics were conducted in 15 districts of Rwanda where beneficiaries were given legal representation before court of law and as well as support victims with DNA exams fees.

“

It was so helpful because we were close to them and it was easy for them to open up. It's something that we dream to continue with other projects. Previously, many of them would not have transport facilitation to reach out to us, even those who managed were prone to frequent movements as they brought in evidence” she says.

Major cases that were handled were mostly about rape, where victims had lost cases because of lack of evidence. There were also cases of paternity search, psychological harassment, physical abuse, and land wrangles among others.

The number of victims supported by both Haguruka and Rwanda Bar Association were 681 (504 were women and 177 were men).



Beneficiaries were given space to pour out the distress of their experiences

Uwamariya's tale of an alcoholic husband and abusive marriage

48-year-old Seraphine Uwamariya, a resident of Mageragera, Nyarugenge District narrates how she endured an abusive marriage where her husband would beat her often.

Though they have been married for thirty years, Uwamariya says they were unfortunate not to have kids in their marriage.

She says it is this issue that caused trouble in their marriage. Her husband started drinking as a way of coping and this is when all hell broke loose.

“

My husband would come home drunk and beat me. He later started coming with people when I wasn't home and he would sell parts of our land and our farms. He also started selling some of the property in the house and he was doing all of this without my consent,” she says.

Uwamariya says she would report all of this to local authorities but at the end nothing would be done to help her.

“

At some point everything became too much for me, people started advising him to divorce me after they learnt that I wanted to involve authorities. He indeed listened to them and went to court seeking a divorce but when he realised that we were to share property, he never went through it. He didn't want me to share the property,” she says.

Uwamariya says her husband tormented her endlessly,

“

This pushed me to the edge, and I again approached local authorities who referred me to Rwanda Bar Association. I approached them last year and I explained everything to them. But when the man learnt that I had lawyers now, he got scared and he stopped doing what he was doing. He was doing all of that because he thought no one could defend me, and the fact that I don't have kids, he used that against me knowing I was all alone.”

Luckily enough, her husband agreed to settle matters out of court.

“

So we managed to settle things amicably thanks to RBA. And though we are not officially divorced, we decided it's best to live separately. We also agreed to sell our house and shared the money. I bought another house and that's where I am staying now. I am so grateful to RBA for their effort in helping me solve our marital issues” Uwamariya says.

Resilience in seeking justice for GBV Victims

This was an aspect that was focused on in the project's implementation. It was observed that majority of people facing violence were women, and due to this, it seemed imperative for both men and women to be informed on the best ways to reduce in-house conflicts that tend to result into gender based violence.

This helped a lot in increasing people's awareness on legal frameworks governing women's rights and anti-GBV laws.

Victims living with disabilities were also a priority during the implementation of this project; around 10 rights holders (4 men and 6 women) were living with disabilities. Some had mental health conditions, others suffered from vision impairment and physical disability.



It was observed that majority of people facing violence were women.



Kankundiye's story

Clementine Kankundiye's story, a resident of Mushikiri Sector, Kirehe District, is similar to that of many beneficiaries of this project- it revolves around disputes with men who want to assume no responsibility for their children.

For Kankundiye however, her battle was against two men both of whom sired children with her yet none was willing to step up for their responsibilities.

The father of her older child however later agreed to care for the child and he gave her a piece of land to cultivate and sell food to raise their daughter.

The 36-year-old was then left to battle with the father of her other child. This was no walk in the park, she had to make long journeys, deal with local authorities who sided with the man, seek for evidence as well as spending money she barely had- her earnings as a casual labourer earned her little money, that's why at some point she had to sell off some of her belongings.

“

I had to sell my only goat that I owned, because at this point my case was heading to court. But after some days, I was informed that my case wasn't in court yet. This was happening for the fourth time,” she recalls.



It was observed that majority of people facing violence were women

This was all hard and painful but all Kankundiye wanted was justice for her children.

With advice from a lady from the social affairs committee from her village, she sought help from Rwanda Investigation Bureau but they referred her back to court. At this point, many urged her to quit the case, but Kankundiye reasoned that she didn't come this far only for her to quit.

She was determined to do all she could even if it meant defending herself in court-literally.

“

We appeared before the jury, my child's father had an advocate but I was representing myself because I couldn't afford a lawyer. I was nervous because it was my very first time to do this, at some point I broke down in tears because of the pain I was passing through but I had given my battle to God, He was the one fighting for me.”

Unfortunately, the man continued denying that he was not the father, and because she lacked evidence, she lost the case.

A friend later advised her to seek services from Haguruka. Events that unfolded after her encounter with the NGO were full of promise and hope.

It was in July last year that they took on her case, and in December that very year, Kankundiye was served with the justice she had longed for. She had fought this battle and she had won.

The role of men and boys in addressing GBV



Engaging men is an effective strategy in transforming the gender order and relations

The fight against gender based violence is not a one-sided task. It calls for the active engagement of men and boys who are game-changers in shifting power relations and are mostly trapped into the cases of GBV as shown on page 8 of this document.

Harmful social norms and cultural beliefs continue to perpetrate GBV in most societies including, in Rwanda, where in some cases

men and boys are socialized and thought to be powerful, to have authority over women and to exercise power and control in their families and relationships while women and girls are thought to be submissive, powerless and act according to the wishes of men and not striving for equal decision making. These social and gender norms shape how men and women, boys and girls see themselves, their social and intimate relationships, their sexuality and the



Mobilizing men and boys to engage in efforts to stop violence against women is critical

allocation of power and resources. In addition, these socially constructed behaviours and attitudes influence their living conditions to the extent that in the long run sexual harassment and other forms of violence against women and girls become a normal act.

Mobilising men and boys to engage in efforts to stop violence against women is important and critical on so many levels in order to challenge negative masculinity behaviours which condone GBV.

As the justice sector is dominated by men, their involvement to this noble cause is paramount. In fact, the figures from gender statistic report 2019 showed that in the Supreme Court, women judges represent 42% vs. 58% men while women inspectors represent only 40% against 60% men. In the Prosecution, women represent 46.5% compared to 53.5% men; in the law reform commission, women represent 38.5% compared to 61.5% men. At the Institute of Legal Practice (ILPD), Women represent only 23.1% against 76.9%.

At the community level in relation to community mediators (Abunzi), women represent 45% vs 55% men while in Justice Bureaus (Maison d'Accès à la Justice-MAJ), women represent 48% compared to 52% men.

In the process of administration of justice, it is important that the social constructed behaviour, attitudes and negative masculinities do not revictimize the survivor of GBV.

Men as the majority of those in law enforcement departments, and as leaders of households and

communities, it's only rational for them to be part and parcel in the journey towards gender equality and fighting vices such as gender based violence.

There is hence an urgent need to engage men and boys as dynamic associates and partners in gender-based violence prevention and response. This is the best way of recognising that gender-based violence is a common business otherwise without men on board, this issue will continue to be side-lined and unheeded as only a women's issue. Engaging men and boys, is a necessary and an effective strategy in transforming the gender order and relations. We need men to question power dynamics in their actions or their words at a personal, interpersonal and societal level and to take responsibility for change in mindsets, attitudes, and behaviours. We also need men to challenge gender stereotypes, to share equitably in family and household responsibilities, to be positive role models in their communities and their families.

Men as well as women, ought to work together in making their voices heard when it comes to addressing such inequalities. Holding each other accountable for GBV crimes will help to move toward a society free from all forms of violence especially violence against women and girls. It's important to give men spaces to unpack all of the problematic messages that they have learnt, and to re-learn new positive messages, tackle toxic masculinity from its bedrock of patriarchal systems we are enculturated into, that we need to identify and together begin to dismantle and both men and women, boys and girls become full partners and collaborators at household, community and country level.

Challenges & Recommendations



Cultural and patriarchal stereotypes and attitudes still play a big role in fueling GBV in Rwanda as elsewhere

Despite great efforts and impact yielded by the project, implementation of its core objective wasn't without challenges.

There were elements that hindered its smooth operation, for example the bureaucratic court procedures delayed handling of cases and apart from hardships in gaining evidence for the various cases.

There were scenarios of some local leaders who misused their power and violated the rights of citizens by collaborating with the suspects of the GBV cases, by helping them to escape or denying court-decisions.

Some victims on the other hand were afraid of public humiliation and the social stigma attached to sexual violence which often prevents them from seeking proper support from responsible/concerned institutions.

Victor Mugabe, the executive director of Rwanda Bar Association says that the legal framework is really good and protective of the victims, but the actual implementation is the challenge, especially on the side of the victims.



Victor Mugabe, the executive director of Rwanda Bar Association

This is why their part for this project was aiming at having people understand why there is need for legal action against gender based violence.

He observes that, in most cases victims are not aware of their rights, which is why very few report such cases. This is so because some of them are illiterate and others are scared to be scorned in communities.

It was also observed during the execution of this project that there is a challenge in getting complete files of the victims, something that prolongs case management. There is also the fact that many assisted GBV victims are not in the category of those who are exempted of court fees yet most of them are not financially competent.

Most of the offenders also try to hide evidence which makes it complicated for cases to be followed up, and on the other hand, victims at times hesitate to disclose information about their cases mainly because of the support that they get from offenders.

Vivine Uwimpuhwe, a legal aid officer at Rwanda Bar Association reveals that there were victims who completely refused legal support in fear of causing conflicts in their families.

“

What we learnt later, is that at times offenders approach victims with threats or bribe them with money to keep quiet about the case.” she says.

Legal mechanisms to assist victims are in place, for example court fees are waived for them, and this is why Mugabe emphasises the major challenges as lack of awareness- victims lack sufficient information on their rights.

But nonetheless, provision of legal aid through this platform served its purpose for victims received enough support to go through with their cases and they indeed accessed justice. And going forward, civil society organisations at the community and cell level were encouraged to competently provide necessary support to victims of violence.

Citizens too on the other hand are required to report their GBV-related cases on time, preserve evidence and be aware of the referral mechanisms by knowing clearly where and how to seek support from different GBV services providers, for this will lead to an improved GBV administration and response and will also ease legal assistance for them.



What we learnt later, is that at times offenders approach victims with threats or bribe them with money to keep- Vivine Uwimpuhwe, a legal aid officer at Rwanda Bar Association

It takes skills, commitment & a 'heart'

When fighting for justice, victims of abuse deserve access to a skilled, resolute and compassionate legal advocate who is willing to strive for their voice to be heard. This is what a team from Rwanda Bar Association offered hundreds of beneficiaries from Kigali city, Muhanga, Musanze, and Bugesera Districts among other areas.

Petitions brought in by the beneficiaries were mostly centred on paternity search and alimony,

defilement cases, domestic violence and sexual harassment.

But there were also cases on divorce, assaults and batteries, adultery, claiming for damages in sexual harassment cases, rights on property, criminal cases, and land disputes related to gender among others.

Nyiramafaranga's triumph over the hurdles of single motherhood

Sylvie Nyiramafaranga, a resident of Rwera, Bugesera District, met the love of her life a few years ago. She was working as a housemaid when their paths crossed and it didn't take long for a relationship to blossom. She was showered with gifts and unending love, and with this Nyiramafaranga had no doubt that the man was her 'Prince Charming'.

“

It was all rosy for our first years of dating. He was a driver and sincerely, money wasn't a problem because he spent it on me with ease. He showed me all the properties he owned. I was a naive poor housemaid whom he loved crazily. For sure, he gave me hope that true love still existed. He swore and assured me that I was yet to be his wife” Nyiramafaranga explains.

Unfortunately, her joy was short-lived when she got pregnant, this was in 2012. The man he knew as loving turned into something else

after he learnt of the pregnancy. He wasn't ready to be a father- not to Nyiramafaranga at least, as she came to learn. All the promises turned out to be empty when the man's true colours surfaced.



Sylvie Nyiramafaranga commends RBA's efforts to help her seek justice

On many occasions, she had asked him for help but he didn't seem bothered and instead turned aggressive and ill-mannered to the extent of blocking her number, Nyiramafaranga was left all alone and helpless.

He even denied being the one responsible and he reminded her that there are many men who can impregnate a woman.

In her tough situation, Nyiramafaranga never thought of an abortion, she kept the pregnancy even when she lacked money to support herself.

Her life was a mess, she left her job as a maid and started searching for odd jobs in construction for survival but light never seemed to come at the end of the tunnel.

She later gave birth and with no hope of how her child would survive, she thought of taking her baby's father to authorities and so she went to the District in search for help. By that time, she was residing in Ndera sector, in Gasabo District.

She was asked to avail documents or any evidence that showed that the man was actually the father of her child but she lacked proof. She didn't give up anyway.

Nyiramafaranga did her best to provide all she could to her child, she also registered her child under her name.

And at some point, as a means to secure evidence that would help her seek legal assistance, she tried to amend things with her child's father, and in the process she managed to get a signed document.

“

We talked and tried to come to an agreement, he was scared of being reported to District authorities so he signed a document where he agreed that he is the real father to my child. Having got evidence, I proceeded to Rwanda Bar Association where they helped me get a lawyer” the 34-year-old narrates.

“

I was received well at the bar association, the services were very fast because I immediately got a lawyer who helped me. The court process was also smooth, I was winning on every step and I felt good because this is what I had waited for, for a long time and all the pain and shame I had felt was all fading” she says.

“

I had a lot of questions but when all was done and the law was on our side, it's like I had resurrected, my family and community were all against me but here I was fighting and winning for my child. Right now the man is taking responsibility, he gives us financial support”

And with this, she commends the organisation's efforts to help her seek justice.

She heartens all organisations to help all women whether below 18 years or above noting that violence is violence and that all victims need support.



Nyiramafaranga is proud of having sought justice for her child

Nishimwe fights against odds to connect with her estranged father

20-year-old Odette Nishimwe, a resident of Kinazi, Ruhango district lost her mother when she was only 5 years old. Since her father was barely in her life, she had no option but to live with her aunt.

And though her aunt wasn't well off, she did her best to give her a comfortable life. She had food to eat, clothes to wear and was even able to attain an education. Aside from the painful pangs of being an orphan that hit her once in a while, Nishimwe says she lived a fairly content life.

When she turned 16 however, something arose in her. She wanted to have her father in her life but wasn't sure how she was going to go about it.

“

I wanted to reach out to him because I wanted to have an identity, I wanted to belong and through him, I knew I would find what I was looking for,” she says.

Sadly for her, despite her reasonable intentions, fate wasn't going to make it easy for her. Her father had another family with a wife who was determined to block her every effort to be a part of her father's life, Nishimwe discovered this later.

“My father lived in the same area where we lived, so it wasn't so hard reaching out to him. When I approached him, he was really welcoming. I stayed with his family for some months, till his wife said she wasn't going to take this anymore and that she wanted me out of their lives,” she recalls.

This hurt Nishimwe so much because she didn't see any harm she was causing to want to be in her father's life. She tried to beg for reconsideration but the woman couldn't hear any of it, she had to go, but what hurt her the

most was that her father wasn't ready to defend her at all.

She had to go back to her aunt's place but kept on reaching out to her father to at least register her as her daughter and also help her get medical insurance (Mutuelle de santé).

“

I wanted my father to accept me because I didn't belong anywhere. I didn't have a mother so it was only my dad I could go to,” she says.

Nishimwe wasn't yet to give up, reasoning that if she couldn't have love from her father, she could at least belong to someone through registration. And with this, she approached the officials at the district who advised her accordingly.

“This was in 2019, through the district I had access to a lawyer who decided to take on my case. Along the way however, he got busy but then connected me to another lawyer who happened to be from Rwanda Bar Association. It was in November 2019 that we went to court,” she notes.

She recalls the process going on well, and because she had enough witnesses, she won the case.

“

It all went well, there were witnesses who helped me win the case we didn't even need DNA to confirm he was my father. He later had to register me as his child and this is what I wanted. I wanted to belong and I was happy it had happened. But I thank God for everything and I also thank Rwanda Bar Association for working tirelessly to ensure that I was given the justice that I deserved” she says.

One woman's journey in escaping a physical and emotionally abusive marriage

Lucie Nyiraharerimana's marriage had a rocky start but because she was with the man she loved, she stayed with faith that things would finally work out.

Her marital journey started way back in 1996 but only legally married her then husband in 2004. Looking back at where it all started, Nyiraharerimana says the domestic wrangles that finally tore their home apart started way earlier in their marriage.

She recalls that it's when she had her first born that everything fell apart. She recalls her husband leaving home and only coming back home after days and soon she discovered he was having extra-marital affairs, this was in 2000.

“

I had just had my first born who is now 20 years old when my husband started seeing other women. He would cheat and show me, this caused chaos at home. He would go and not come back and when I asked him why he didn't come home he would beat me and also threaten to kill me,” the 40-year-old recalls.

Nyiraharerimana says her husband reached a point of selling their properties and spend the money on his other women.

“He stopped buying food at home, we lived like that for a long time. We had so many differences that even up to now, that we are divorced we still have wrangles between us. At some point, I would approach local leaders to help us, this would help for some time but then it would start all over again,” she narrates.

At some point, she realised she had had enough and decided to get a divorce from her husband. But this was going to be a long process, however she was more than prepared for a battle for her independence.

I took my time to collect evidence that showed that he was actually sleeping around with those women, this helped me a lot with my case in asking for divorce.”

In 2012 they went to court and they were given a divorce, she had won. Unfortunately the man wasn't ready to accept defeat.

Her ex-husband went on to taunt her, challenging and harassing her emotionally. He tried to illegally confiscate her land and when it was too much to take in, Nyiraharerimana decided it was time to seek help again from authorities.

It was through local leaders that she got in touch with Rwanda Bar Association in 2018, who offered her a lawyer.

“

We went to court, and though it was not easy, we managed to win the case. I don't understand why the man can't give me peace. He should leave my property alone, he doesn't give me the 20,000 rwf monthly allowance he is supposed to offer, I take care of my four children alone but he still wants to take my property away,” she laments.

The mother-of-four says she can't thank RBA enough for helping her seek justice not only for her but her children as well, “The fact that they took their time to come from Kigali and help us from Musanze is no small feat and I don't take that for granted”

Right now, Nyiraharerimana, a resident of Muko, Mburabutuuro in Musanze district, runs a small shop where she sells food among other domestic items. Through this, she is able to care for her children.

She hopes to seek justice and make the father of her kids assume his fatherly duties.

Role of stakeholders in GBV prevention and response

According to the World Bank, GBV accounts for as much death and health impediments in women aged 15-44 years as cancer does. It is a greater cause of poor health than malaria and traffic accidents combined. The World Health Organisation assertively links addressing violence against women, to achieving agreed global poverty eradication targets.

Research by the World Bank argues further that beyond human rights violation, GBV is an economic drain with significant impact on a country's GDP.

Going by such challenges as well as those that presented themselves during the project's execution, it was apprehended that; criminal justice policy be conducted, the masses be educated on the strategies to combat depression to avoid emotional violence, improve the way GBV evidences are protected and safeguarded (chain of custody) but also, promote legal aid for the GBV victims and strengthen awareness campaigns on GBV at village levels.

And on the other hand, involved stakeholders were recommended to be more involved in this fight and develop evidence-based violence prevention strategies. Relentless

communication and sensitisation of masses about violence prevention is commended as well.

Dialogues are also commended where stakeholders engage the public and the media in terms of a continued dissemination of information that fights against gender based violence.

Other parties involved in this fight are called upon to be more cooperative such as medics-who at times refuse to offer medical reports, for this at times complicates the process of obtaining evidence.

Women's access to justice remains a critical part of the attainment of women empowerment. GBV victims as well as women as a whole, need support to assert and claim their social, economic, cultural, political and civil rights. This calls for vital mechanisms where women are availed with environments and platforms that stand for their rights and wellbeing, where individuals and institutions account and prevent abuse of power.

A world that is equal to both women and men is a key component that drives equitable change and development.



The team at Rwanda Bar Association provided a legal framework that aimed at supporting GBV victims

