



# KASH

**KEEPING ALIVE SOCIETIES HOPE**

*A Just, healthy, and Economically Empowered Society*

# Role of Civil Society in Advancing People Centered Justice for Women in Africa

- Civil society organizations need to participate in law making processes and contribute to policy discussions through championing citizen centered participation both at the community level, County and National Assemblies in order to play an effective role in monitoring the states accountability.
- Support Training and continuous capacity building for Women and Men as Human Rights Defenders, Paralegals and Violence Response Persons to assist in Monitoring, Documenting and Reporting of violence and recovery of material evidence for prosecution.
- Create systems of reporting and referral of gender based violence incidents at the community by providing avenues where people can report and get assistance ASAP! i.e. Toll free Numbers, Unstructured Supplementary Data (USSD), Court User Committee, AJS Committees, Local Village Admin Committees (Chief Barraza), Community Policing Committees (Nyumba Kumi )
- Partner with security agencies in ensuring that survivors and witnesses are enabled to reach court and protected from hostile perpetrators.
- Lobby and Advocate for realization of the Legal Aid Fund to support poor and marginalized women in rural and urban who are not able to access justice since they can't afford legal representation or cost of the suit

# Role of Civil Society in Advancing People Centered Justice for Women in Africa

- Build Capacity of Women Legislators both at County and National Assembly to enable development of legislation or push for realization of international statutes that most African Countries have ratified but are not domiciled or implemented (CEDAW, ICERD, ICCPR, ICESCR, CAT, ICMW, CRC, ICMW, CPED, CRPD)
- Partner with state agencies I.e. National Police Commissions / Service, Judiciary, Public Service Board to monitor, document and report violence incidents against Women and ensure that perpetrators are prosecuted
- Lobby and advocate for realization of gender balance (2/3 rule) both in elective and appointment position to provide women equal opportunity as decision makers but not just followers
- Provide Pro bono Legal Education and Service for Women and Girls in both rural and semi urban areas to better their knowledge and Understanding on the law and enable them become resilient and advocate against violation.
- Support operationalization of Alternative Justice Systems I.e. Autonomous AJS institutions, 3<sup>rd</sup> Party AJS Institution and Court Annexed Mediation in resolving Civil disputes at the community level. Justice survey in Kenya showed only 20% of litigants prefer the Court system

# Innovations and Opportunities for system Change

- Use of Tech innovations to support reporting of violence against women and girls and also to provide other required service I.e. Psychosocial support
- Use of Emergency Hotlines and Toll Free numbers mainstreamed to ensure that majority of community members have access to it and can use in case of emergencies
- Establishment of Safe houses or shelters for survivors of violence to enable both survivor or witness to be protected from hostile perpetrators or their sympathizers
- Partnering with Private Security Agencies to help rescue survivors facing violence and effect civilian arrest and present perpetrators to Police Station
- Support Refresher Training Courses for Justice Actors on forensic evidence, Chain of custody, Evidence preservation and presentation etc. ( Police Officers, Health Workers, Prosecutors, Magistrates and Judges)
- Support Establishment of Policare (Police Care), an integrated response to Sexual and Gender Based Violence designed as a multi – agency victim centered “One Stop Center” service provider

# Role of Partnerships at Local, Government & International on People Centered Justice for Women

- Donors and governments need to ensure special funds are available for gender equality work in each country to ensure it is addressed and that smaller, activist women's organizations are enabled to continue their work. See gender basket funding in Kenya.
- Donors and governments should make available long term funding for women's rights organizations.
- Pooled funds need to integrate gender with clear adherence and monitoring criteria.
- Diversify funding to ensure that the current focus on NGOs as instruments of advocacy does not exclude other work that is critical for women's rights and gender equality such as legal services, capacity building for women to participate in development, confidence building, and direct service delivery that addresses the barriers for access for women.
- Donors need to establish funding mechanisms that are accessible to a wide range of CSOs, not only the strongest and largest.
- National Women's Machineries (Maendele ya WanaWake) need to be adequately resourced to enable them to undertake their vital role of leading on national gender equality plans.

# Role of Partnerships at Local, Government & International on People Centered Justice for Women

- Governments and Donors should include CSOs meaningfully in the debates and disbursement of aid.
- Governments and donors should honor international commitments to key agreements on women's rights and development.
- Governments and donors should commit adequate financial resources to implementing the above mentioned agreements. Governments also need to commit financial resources to gender commitments.
- Donors, governments and CSOs need to track carefully what funds go to support women's rights or to help women out of poverty.
- Donors need to systematically monitor the impact of changed funding streams, conditions and mechanisms on organizations working for gender equality and women's rights.
- In particular, governments and donors need to monitor the funding available to CSOs by governments and the impact such funding has on the organizations and the work.

# Recommendations – Strengthening the Justice System

- Hold accountable perpetrators. Sustain efforts against impunity, effective and respectful communication with those seeking justice and remove burden from survivors.
- Create a sector in the judiciary focused on access to justice for women, train more female judges and consider establishing women-only courts or specialized courts.
- Create justice avenues to protect women from economic exploitation, unfair labour practices, physical harm and unequal pay.
- Feminize the justice sector to improve women's experience of justice
- Institutionalize and sustain training for judicial personnel, police officers and prison staff on matters related to improving access to justice for women.

# Recommendations – Legislative Improvements & Enforcement

- Remove retrogressive laws, enforce and raise awareness of laws & standards that uphold women's rights, and criminalize all forms of VAWG.
- Ensure proper enforcement of the legislative provisions on protection of women, including through investment in managing data, coordination, and monitoring implementation.
- Create provisions for compensation for victims, including inheritance rights and child support.
- Promote women's property rights and economic status, including land ownership and inheritance, access to assets such as housing and machinery



# Recommendations – Survivor-Centered Approaches for Diverse Women & Girls

- Identify and eliminate obstacles and barriers faced by women before, during and after they pursue access to justice.
- Strengthen victim and survivor protection given the cultural fear of consequences and community backlash against survivors.
- Provide information and diverse options to women seeking justice who may be prevented from reporting to police, accessing treatment, guidance, counselling and giving evidence.
- Create policies and laws that promote disability-inclusive services for women to access justice

# Recommendations: Community-level Actions & Transforming Social Norms

- Ensure traditional authorities understand gender issues, support gender-sensitive committees with women represented.
- Ensure customary laws align with constitutional provisions on fundamental rights and international human rights standards.
- Declare customary laws that discriminate against women and girls illegal (e.g. child marriage).
- Engage with traditional and religious leaders and cultural authorities through a comprehensive strategy to improve gender-sensitive community dispute resolution, respond to women's needs, build positive masculinity and end harmful practices and gender stereotypes.
- Develop coordinated community responses on matters of VAWG

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