

GENDER BASED VIOLENCE RESPONSE SERVICES IN POST CONFLICT RESETTLEMENT AND REINTEGRATION SETTINGS

AN EXPOSITORY ANALYSIS OF FACTORS HINDERING GBV INCIDENT REPORTING IN MAGWI COUNTY, SOUTHERN SUDAN

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Abstract: The notoriety of gender based violence in conflict and post conflict settings cannot be over-emphasized. It's devastating effects on women and the girl child is beyond comprehension, yet still, it is a reality that tends to be overlooked. Its effect is too often compromised by lukewarm observance of laws and policies in the name of culture. This paper is an expository analysis of gender based violence in Magwi County of Southern Sudan with a particular focus on factors hindering GBV incident reporting to both the health and legal facilities. This study is an exposition of some of the very missing tenets that facilitate development.¹

Keywords: Gender Violence, Reintegration, Resettlement

I. INTRODUCTION

Decades of civil and political strife till 2005 left South Sudanese in a desperate situation affecting all, but mostly women and children, and it is in this context that violence against women and girls manifests itself. Prolonged conflict exacerbated and created new security risks, especially for women and children. These include disruption of community and family structures, breakdown in conflict resolution mechanisms, prevalent trauma, increase in alcohol consumption, weak security institutions, poor law and order and tensions between those who have been displaced and those who have stayed

put. Owing to years of instability almost all of Southern Sudan's key development indicators are the lowest in the world. Severe gender disparity is evident in access to education, health and the employment sector. Only 5% of births are attended by skilled health staff and maternal mortality is high. Few reputable gender-based violence (GBV) studies have been carried out in southern Sudan and most studies may have been limited in terms of sample size and statistical analysis but, nevertheless, have produced evidence of extensive domestic violence, early/forced marriages, wife inheritance, property ownership, child custody, arbitrary incarceration, female genital mutilation and sexual harassment and assault.

The signing of the comprehensive peace agreement in January 2005 culminated in a significant formulation of new policies and laws to govern the newly established semi autonomous state and this also resulted in a high influx of people returning and being resettled in Sudan. It is within this context of reintegration and resettlement that this paper seeks to expose factors hindering GBV case reporting to both the police and health facilities and present successful approaches for generating locally identified strategies on handling gender based violence cases in resource-limited Magwi County of Southern Sudan, a region with limited access to quality legal and health care services. Hindering factors are presented first followed by working community developed redress approaches.

Magwi is a district located in the Sudanese state of East Equatoria. It is bordered by Central Equatoria to the west and the Ugandan district of Gulu to the south. The county is divided into six payams: Mugali, Nimule, Pageri, Magwi, Parjok and Lobone. Magwi town is the district seat. The county is located on the major road connecting Gulu to the south to Torit

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towards the north. Much of the population is Acholi and Madi. Since the signing of the CPA² the county welcomed and resettled more than 60 000³ returnees making it the Eastern Equatoria State county hosting the biggest numbers of returnees.

II. FACTORS HINDERING GENDER BASED VIOLENCE CASE REPORTING TO POLICE AND HEALTH FACILITIES

A. Dowry and customary restrictions on divorce

Sudan is one of the most diversified countries in Africa in terms of tribes, though there is no valid and accurate figure as to how many tribes inhabit this country. Estimates stand at 400 tribes. Contrary to general cultural changes happening worldwide owing to globalization, most Sudanese remain strong, vigilant and very sensitive to their traditional cultural practices. Like any other tradition, some of the traditional practices fuel violence and foliage silence more than condemnation of these practices. It is against this backdrop that most incidents are not reported either to health and legal facilities for appropriate action.

The long standing customary restrictions on divorce which manifest from and directly reinforced by the dowry payment custom is another significant factor hindering the reporting of cases. The tribes in Magwi County, like many other tribes in Sudan, mandate that for a marriage to be formal, dowry should be paid. *Kasurubbe*⁴ as it is known in Madi and *luk*⁵ as it is called in Acholi is a complex and very strict process of negotiation between the two families to come to a mutual agreement of the price that the groom has to pay in order to marry the bride. It is a process that brings the two families together. Mutual respect and dignity are woven into the process, and the love between the man and woman is expanded to include the immediate and extended families. But, like most traditional customs in this new world order, this practice is being tremendously abused with the families commercializing the process and overcharging the dowry. As a customary practice, the bride or her family should pay back the dowry, depending on the cause of divorce, in part or in full should there be a divorce. Given the stringent payments, families are charging their daughters as dowry, it makes it more than difficult to divorce let alone report cases that might lead to divorce for fear that if divorce happens, their families will fail to payback the dowry. It is against this backdrop that married women hold back on reporting any abuse. Findings from a knowledge attitude and

practice survey on gender based violence in Madi corridor confirmed this with 46% of the female respondents and 40% of male respondents confirming that women should tolerate violence to keep their families intact.

It is axiomatic to conclude that in this setting, when a woman suffers violence due to failure to meet some culturally and socially accepted standards of behavior; such failure is used as an excuse for the violence she suffers within the family context. Thus, reporting of such a case becomes difficult because culturally she was the one who was wrong because of failing to meet a cultural requirement. Abuse on the part of men becomes justified, making men blameless.

B. Widespread poverty and location of health and legal facilities

Despite commitments made through the national poverty reduction strategies and programmes in the past few years after the signing of the comprehensive peace agreement, the number of people living in poverty in Magwi County and Southern Sudan at large still remains high with women constituting the majority. The major causes of women's poverty are embodied in unequal power relations between women and men, discriminatory inheritance rights and lack of access to property and productive resources. This widespread poverty and the centralization of service providers is adversely affecting women's health as most are too far to be within reach of the poor majority in Magwi County. Hence, location of health and police facilities is an important dimension inhibiting women from reporting gender based violence cases in Magwi County. Whilst the government of Southern Sudan has been decentralizing the services, most communities still don't have fully fledged local level police offices and health facilities. Responses from all informants, including agencies working on GBV in the county, exhibited that on average, people have to walk for more than six kilometers to access either the police or the primary health care centre, making the whole process expensive for the majority whose daily income and consumption rate is less than a dollar. Distance further worsened by poor road infrastructure makes it too complicated and too long a journey for people to travel and report. One our community volunteer stated that it's not that people don't want to have medical treatment and have the cases reported and perpetrators brought to book, it's because people are too poor hence they calculate the costs and time of traveling and come to a decision of concealment". This study thus revealed the unsurprising fact that use of services tends to decline with distance. Lower access and hence lower case reporting may well be the impact of an interaction between longer distances and less knowledge of treatment.

² Comprehensive Peace Agreement January 2005.

³ Source: UNHCR/GTZ Nimule way station report, April 2009.

⁴ Dowry and the process of dowry payment in Madi tribe.

⁵ Dowry and the process of dowry payment in Acholi tribe.

In a comparative analysis of rural and peri-urban settings in Magwi County, a recent American refugee committee survey exhibited that rural setting makes it difficult for victims of gender-based violence to report, the main reason being that rural areas place greater emphasis on traditional expectations about marriage, which reinforces male power and control of women's lives. These traditional expectations include the financial dependence of women on men. The survey also proved that rural women have fewer employment opportunities; this makes it difficult to report abuse or to separate from an abusive partner.

C. Education level disparities

Education is a clear-established determinant of gender based violence case reporting in Magwi County. Reflections from discussions with women's groups exposed that better education allows for individuals to be aware of their rights and comprehend redress methods should those rights be violated. In a study conducted by American Refugee Committee in Madi corridor of Magwi County 93% of women interviewed had gone beyond secondary school education. This disparity in education level between men and women has a direct link to the reporting of cases and the management of those cases thereof. The high levels of illiteracy means that women are deprived of their right to education which escalates to being denied rights to even attend informal educative gatherings which means the level of awareness of what constitutes gender based violence and how to address it and who to report to is also low. The words of one boma chief sum it all when he lamented that "breaking a bond with something that you grew up with is tough, but for the development of our community and in a vision to create a happy society with diversity and respect, we need to break this. We have been less loving by denying our sisters and wives these rights. Let's show that we care more by doing that we wish and want to be done to us. Education is the key".

D. Corruption and impunity

Whilst there is no statistical validation for the rampant corruption in Magwi County and Southern Sudan at large, its effect can be felt in the management of domestic violence cases. 92% of the women interviewed highlighted that police corruption directly perpetrated by underpayment and sometimes no payment at all was one great factor hindering people from reporting any gender based violence incidents. Women groups and community organizations working on gender based violence in Magwi County highlighted that police could be easily bribed by as much as 20 Sudanese Pounds, to do away with any investigation.

Against this background of rampant corruption and easy bribery of the police, agencies working in the education sector have highlighted that sexual abuse of young girls is high in both primary and secondary schools and, of those cases reported, no investigations have been conducted by the police and ministry of education.

Directly related to corruption is the prevalence of impunity which is highlighted as another major factor hindering incident reporting to the police in Magwi County. This impunity is in two levels (1) tribal level where some tribes are exonerated by virtue of them belonging to some tribes and (2) Position and influence in the community. Highly ranked people are never followed up and cases are never investigated. Women groups who constituted the majority of people interviewed during this study exhibited anger and frustration over this, one of the interviewees acknowledged this by stating "as long as I am of their tribe whatever crime I commit is not punishable for in this country you can't put your tribesman on cross-fire... in such a scenario what will you do if you are raped molested or even assaulted... we are forced to remain silent and suffer internally without any help?" There are a number of factors highlighted as contributing to impunity in the legal system, the first and the major being lack of training in civil policing. The protracted 22 years of war disrupted the education system and many people joined the SPLM to fight the north, upon signing of the comprehensive peace agreement – many people who had taken part in the war were put on key post

E. Absents of confidentiality

It is a standard procedure that immediately following an incident of sexual violence, the physical safety of the survivor must be ensured and all actions must be guided by the best interests of the survivor with her wishes being respected at all times. Wherever possible, the identity of the survivor should be kept secret and all information kept locked and secure from outsiders. The absence of this security reinforced by the unprofessional disclosure of survivor information to the general public by both the health and security personnel was one of the core factors highlighted by respondents as hindering reporting of these incidents for appropriate Administration. Confidentiality is an ethical and a standard operating requirement in dealing with such critical issues as incidents of gender Based Violence, its violation and absence henceforth will result in lack of trust from on the very core service providers. The recent survey conducted by ARC concluded that the police and hospitals were not the first ports of call for assistance. Instead, communities were highlighting friends and family members, mainly because of the general fear that if they disclose

their situation to the police or hospital by end of day it will be a public issue. There are a number of factors contributing to this, chief among them being lack of adequate training of both the hospital and police personnel. Most institutions are manned by volunteers who pose an honest will to help their communities but lack the technical skills required of the very professions they are volunteering in.

F. Inter and intra family case settlement

The culture of silence in Magwi County is more acute because of the existence of traditional patriarchal values which legitimizes men's authority. According to a recent ARC analysis, increase in gender-based violence appear to arise from traditional practices and principles that include the subjugation of women, and that is culturally permissible for a man to physically discipline his wife and children. The same detailed survey exhibited that the family acts as support institution for the survivor and at the same time as an institution through which such cases are settled without referring the case to the customary courts, the police and or the hospital. This long standing and established custom of case settlement within and between families has hindered many women and young girls from reporting abusive incidents for appropriate action to such an extent that many girls are forced into marriage at a very young age, whilst cases of domestic violence are rampant with 83% of the respondents asserting that on monthly basis about three to ten women are beaten by their husbands for various reasons.

G. Dominant presents of Male Practitioners

The dominance and presence of male practitioners in both the hospitals and police force has been shown to be an important reason for low reporting and low use of these services by women in Magwi County to such an extent that many confide and report to religious institutions where there is a clear gender balance of service providers. Women groups pointed out that the absence of female police officers is a barrier to case report as women will feel comfortable to be attended to by women. In Magwi County women police officers are less than twenty in a police force of around four hundred officers, of these twenty less than five are positioned to work with survivors of gender based violence yet still they are not well trained to handle such cases.

H. Perpetrator's economic and social status

The social and economic status of the perpetrator is a marked hindering factor to gender-based violence case-reporting. Government representatives during a consultative meeting on the development of County

level Standard Operating procedures for prevention and responds to gender Based Violence substantiated this by clearly outlining that victims of violence – particularly women sometimes come to view the individual offending against them as all powerful and immune to prosecution. This strongly impedes any efforts by victims or survivors of GBV especially women to report as they may feel that no- one would be able to deal with the perpetrator and reporting might put them at an even greater risk as protection mechanism are weak and not guaranteed. In addition to the sense of physical threat, the Ministry of Gender highlights that victims may also be economically and personally dependent on their abusers, in that case the victims dependents and great need for continued support makes the risk of disclosure seem too great to attempt. Economic dependency thus comes in as another barrier shuttering all hopes for medical assistance and access to justice the survivor might be having.

III. COMMUNITY DEVELOPED INITIATIVES ADDRESSING GBV CASE REPORTING AND MANAGEMENT IN MAGWI COUNTY

In view of the factors highlighted above, communities through consultative meetings with their representatives came up with significant, feasible and sustainable initiatives focused on addressing gender based violence and creating a clear platform through which survivors can freely seek appropriate services. This section will outline each of these initiatives with the conviction that such will be replicated in similar settings.

A. Community sensitization on Gender Based Violence

The main strategy adopted by Magwi County community in addressing GBV and in coming up with redress measures to the shortfalls on case reporting and case management was to integrate gender based violence sensitization into other development programs. This was suggested and implemented for two main reasons: to reach to a wider audience both male and female and to avoid community misinterpretation of GBV as a program coming to overhaul their cultural practices. The most marked entry point was integrating and addressing GBV through health care facilities. In these context staffs from health facilities are trained on basics of GBV with a particular focus on assessment, intervention and treatment of GBV as secondary and tertiary prevention. This involves general information dissemination to patients, screening for early intervention and intervening to minimize the severity of long-term abuse. Though systems are not decentralized in many villages of the county, participants are drawn from all primary health care centers,

with equal representation from both men and women. Aimed at bridging the gap that is often brought about by imbalances in practitioners, each facility provides a male and female staff for the series of trainings being conducted.

To further streamline community sensitization to the local level, fifty selected volunteers: man, women, boys and girls were enlisted from all villages of the county. These were and continue to be trained and refreshed on basic GBV concepts, psychosocial support and standard operating procedures for response to a survivor, as well as creative community awareness raising skills suitable for the low-literacy context which include one-on-one conversations, facilitating group discussions using pictures and posters, video playback events, community theatre and radio shows. Emphasis is placed on ongoing follow up with Peer Educators to support their effective implementation of community awareness raising and referral activities. Follow up activities include regular monthly supervision sessions and joint outreach activities American refugee committee and other agencies are working closely with Peer Educators to build up strong relationships with community leaders who have such a vital role to play in reforming societal norms and judicial processes on the ground.

B. Training of police and chiefs on rule of law

The major weakness inhibiting the police from professional practice and standard operation in handling cases of gender based violence is lack of training. Most of the post holders in the police are volunteers coming with military experience than civil policing. To bridge this gap and instill community confidence in the police communities and agencies recommended conducting basic trainings on GBV and rule of law for all police officers in the county. At a broader level community recommended that GBV case management be included in the training curriculum of the police force irrespective of specialty. To that effect much training have been arranged and conducted and refresher courses are still on going.

The main goal of this initiative is to enhance the prevention, protection and response activities on GBV by strengthening the legal response capacities. The project's specific objectives include: (a) To improve the institutional response of the judicial and prosecutorial services and the traditional justice systems through capacity building support (b) To ensure that the gender based violence victims are supported and properly represented in their attempts to seek legal redress (c) To build a client-centered response for GBV survivors that provides support and guidance on the legal and social services available in Magwi (d) To strengthen the Legal Aid Network's capacity to pro-

vide representation to GBV survivors and (e) To strengthen the capacity of traditional institutions to apply customary law in GBV cases without reinforcing harmful practices and discrimination. To date all community leaders presiding on customary courts and all police force operating in Magwi County have been reached.

C. Training of health personal on GBV and clinical care of sexual assault survivors

Following the rampant mishandling of survivors of gender based violence by health personnel, the consultative inquiry with the communities on how best to address this saw the development of training program for health personnel. The trainings covered basics of GBV and further focused on the clinical care of sexual assault survivors. The goal of the later training is to improve the clinical care of sexual assault survivors in low resource settings by encouraging compassionate, competent, and confidential care in keeping with international standards. It is intended for all clinic workers who interact with sexual assault survivors, with a separate section specifically for non-medical staff. Given the spatial distribution of health centers in Magwi County it was of importance that all centers be covered, guaranteeing that services are within reach of most communities. Thirty six health facilities were thus trained and equipped with the post exposure or rape kits as they are commonly and derogatorily known. The availing of kits and training of personnel has seen a marked increase in cases being reported for proper medical administration. Reported cases have increased from an average of two per month to four per month.

E. Engaging men in prevention and responding to gender based Violence.

Engaging men and boys is a vital strategy for ending gender based violence in post-conflict settings. While prevention and response activities are essential, the Magwi County community and all service providers understand the need to project and move beyond simply addressing each individual case of sexual and gender-based violence and address the societal, cultural, economic, religious and political systems that either perpetuate or allow for violence based on gender to continue. This is a simple yet complex initiative which requires attitudinal change, systems change and behavioral change – largely on the part of men and boys who continue to be the vast majority of perpetrators. To that effect a vibrant strategy to engage men and boys was developed with a major aim of building understanding in boys and men that it is their actions and their attitudes that continue to put women and girls at-risk and they should be a greater part of the effort in ending it.

Several reasons were sighted by the communities in justifying why men and boys should be engaged and these include: (a) because men often hold more power and influence in a home or community they can be more effective change agents (b) it supports the social reintegration of survivors who are often ostracized by their husbands/families and the community at large and (c) lastly if social change is to be sustained it is essential to engage the whole community not only women.

As an entry point on this American Refugee Committee international in collaboration with the communities initiated a program dubbed “stars against Violence and HIV”, the initiative engages men to address issues around violence and HIV/AIDS through football. Working with 12 teams in Nimule Payam, three approaches have been adopted and agreed upon. (1) *Group education*, this entails carrying out discussion sessions, educational sessions and awareness-raising sessions with men and boys in a group setting. This started off with the training of team managers and captains on basics of GBV and peer education (2) *Service Based*, under this stakeholders agreed on having counseling services made readily available including HIV Counseling and Testing not only on matches but having permanent centers where men can easily seek such support. (3) Working with individuals and teams on *Community outreach and mobilization*. In view of this community mobilization matches are organized at which community peer educators provide information and responding to questions raised by the audience on GBV and HIV through public address system.

F. Support to women groups: Prevention with the positives

In addressing the problem of poverty which has a direct impact on accessibility to health and legal facilities, economic empowerment of women was suggested as a core redress measure for this. Implementation of these economic empowerment initiatives is set to yield significant benefits to both the direct and indirect beneficiaries of the project.

Two support groups with women constituting the majority of members have received assistance for two main types of income generating projects, Village lending and saving scheme and nutrition gardening. By intermediating small local pools of capital to satisfy household cash-management needs, the implementation of Village Savings and Lending Associations (VSLAs) will provide immediate sustainable and profitable savings, insurance and credit services to women and the general population and the growing of vegetables through market gardening will provide a wide range of and steady supply of fresh produce

throughout the year. Access to fresh nutritious food will be guaranteed for the general population but most importantly to the chronically and terminally ill clients who need a stable and guaranteed food supply. Implementation of gardening will complement VSLAs as an income generating project guaranteeing beneficiaries with a source of livelihood.

IV. CONCLUSION

Communities in post conflict and resource limited settings, if well organized, can be supported to develop community-level, locally driven and strategic solutions to address GBV. Locally identified solutions are most likely to be sustainable, as they are relevant within the local setting and meet the needs identified by the communities themselves

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