

WORKSHOP 3 REPORT

THEME: NATIONAL LEGAL INSTRUMENTS AND THE REPARATION ISSUE: STRENGTHS AND WEAKNESSES OF LAW REFORM

Workshop 3, held on Wednesday 25 September 2013 from 8.20 am to 5 pm, on the theme of “National legal instruments and the reparation issue: strengths and weaknesses of law reform” focussed its work on three main areas, namely:

1. The appraisal of acts of violence perpetrated against women in times of armed conflict or post-conflict.
2. The identification of obstacles to the effective enforcement of national legal instruments.
3. The development of legal strategies in order to effectively combat violence against women.

Mr. Lamine Koïta acted as moderator of the workshop and Ms. Harleine Beugre as rapporteur, who, in the absence of other speakers, chaired the session.

Addressing the first point, the participants cited the different kinds of violence faced by women both in times of conflict and in peacetime. Among the examples given, the emphasis was placed on sexual slavery, which is characterised by the unlawful confinement of women with a view to sexually abusing them.

Several participants stressed the fact that genital mutilation is very common at times of armed conflict.

The participants listed the types of violence most often perpetrated against women:

- Rape
- Sexual assault and other forms of physical assault
- Forced marriage
- The refusal to afford women opportunities and to provide services to them
- Psychological or emotional abuse

As regards the identification of obstacles hindering the implementation of national legal instruments, it must be noted that this second point sparked a great deal of passion, which warrants the following statements.

Firstly, there are reasons related to legal instruments, namely:

- The high cost of justice
- The crisis of confidence due to the failure to conclude investigations and judicial proceedings
- The slow or cumbersome nature of our legal institutions

- No reparation for damages caused

Secondly, there are reasons related to women, i.e.:

- Women's lack of courage
- Women's illiteracy
- Mixed feelings on the part of women as regards the violence inflicted upon them by their spouses
- The absence of women in decision-making spheres
- The lack of recognition of their rights

Finally, there are reasons related to society:

- Customs
- The political deadlock
- The poor organisation and insolvency of NGOs
- The inaccessibility of beneficiaries
- The absence of women in decision-making spheres

The third point entailed the development of strategies to enable female victims of violence to obtain reparation.

The participants put forward solutions related to the aforementioned stumbling blocks:

- Reducing legal fees
- Raising awareness of the protection of victims and witnesses
- Calling for results from investigations and proceedings, i.e. effective reparations for the damages caused, a mark of confidence for our legal institutions
- Eliminating bureaucratic obstacles to the proper administration of justice.