

# 

Kingdom of Cambodia Nation Religion King Royaume du Cambodge Nation Religion Roi

# មន្តតាពត់ំពារខេត្តខេត្ត Victims Support Section Section d'appui aux victimes

# Report

# Follow-up Training Workshop for ECCC Officials

"Identifying lessons from the ECCC on Gender Sensitivity and Transitional Justice



Date: Thursday 07<sup>th</sup> November 2013,

Phnom Penh, Cambodia

Funded by:

The United Nations Trust Fund to End Violence against Women (UN Trust Fund)

## **Table of Contents**

					Page
Acr	on	ym & A	bbrevi	ation	3
	I.	Backg	round.		3
		1.	Object	tive	3
		2.	Purpo	se	4
	II.	Works	shop		4
		1.	Pre-W	orkshop evaluation	4
		2.	Openi	ng	6
		3.	Gende	er Justice at the ECCC in context	6
		4.	Role P	Play	7
		5.	Small	Group Discussion	8
		6.	Closin	g Session	12
		7.	Post-	Workshop Evaluation	12
	III.	Closin	g		14
List	tof	Annex	es		15
	-	Annex	1:	Agenda	15
	-	Annex	2:	Pre and Post Workshop Evaluation	16
	-	Annex	3:	List of Participants	19
	-	Annex	4:	Slide Presentation form Expert Consultant	23
				Slide Presentation from IIN Women	27

### **Acronym & Abbreviation**

CDP Cambodian Defenders Project
CMS Court Manager Section

DSS Defence Support Section

DDOA Deputy Director of the Office of Administration

ECCC Extraordinary Chambers in the Court of Cambodia

HRS Human resources Section

OCIJ Co-Investigating Judges Office

OCP Co-Prosecutors Office

PAS Public Affairs Section

TC Trail Chamber

VSS Victims Support Section

WESU Witness Expert Support Unit

## I. Background

On 07<sup>th</sup> November 2013, The Victims Support Section (VSS) of the Extraordinary Chambers in the Courts of Cambodia (ECCC), in cooperation with Transcultural Psychosocial Organization (TPO) and Cambodian Defenders Project (CDP), organized the Training Workshop on "Gender Sensitivity and Transitional Justice" for ECCC officials, and was held at the Himawari Hotel. The workshop was facilitated by Ms. Caitlin Reiger, expert consultant. The workshop was attended by 42 participants (Female: 20; Male: 22) from different institutions.

### 1. Objective

The Victims Support Section (VSS) of the Extraordinary Chambers in the Court of Cambodia (ECCC) in cooperation with Transcultural Psychosocial Organization (TPO) and Cambodia Defenders Project (CDP) had organized a workshop under a project funded by the United Nations Trust Fund to End violence against Women. This workshop was created to follow-up the workshop in 2012. This workshop aimed to encourage participants to reflect on the extent to which the ECCC's operations have promoted gender equality or provided justice for victims of gender based crimes and sought to identity areas in which the ECCC has made achievements in promoting gender justice and gender equality.

### 2. Purpose

The main purpose was to create an opportunity for participants from different sections of the ECCC to share knowledge and experience on Gender Based Violence and Transitional Justice and how to work with Khmer Rouge victims in order to reduce their painful for long time. Furthermore, the trainings built upon workshops conducted with ECCC officials in 2012 and facilitated by expert consultant Ms. Caitlin Reiger.

## II. Workshop

### 1. Pre Test Workshop Evaluation

Before start the workshop, VSS staff asked all the participants fill in the Pre-test workshop evaluation:

- 1. Did you attend last year Training workshop?
  - 36% attended last year Training Workshop
  - 64% did not attend last year Training Workshop
- 2. What are you expecting from the Training workshop?
  - To understand about gender and Transitional Justice in the context of ECCC
  - Evaluation of case 001 and 002 activities in views of gender sensitivity
  - How to investigate sex crime and provide justice to victims
  - Learn about sexual violence in Cambodia today and understand the impact of the work that was done in the ECCC
  - Knowledge about psychological treatment
- 3. What do you think is the most important issue that needs to be address today?
  - Women Violation or Gender Based Violation
  - Provide justice to victims especially CPs to participate in the workshop today
  - The proceeding of gender based violence in cases 002/02, 003 and 004
  - How to maximize impact the ECCC activities and to promote gender awareness after close of ECCC
  - Strategies and the real implementation in providing justice
- 4. What is your current role?

The current role of the participants will show in the table below:

Workplace	Position
	• Chief of PAS
ECCC	• Public Affairs Officer
	• Judge
	Program Association
	Assistant Program Association
VSS	Administrative and finance Assistant
	<ul> <li>Complaints and Applications Manager</li> </ul>
	NJM/Reparation Assistant/Outreach
	• Advisor
CDP	Project Coordinator
	Case Manager
DSS	Case Assistant
DDOA	Associate Legal Officer
	<ul> <li>Investigator/ Researcher/ Analyst</li> </ul>
	National Legal Officer
OCIJ	Legal Officer
	• Consultant
	National Deputy Co-Prosecutor
	International Co-Prosecutor
ОСР	• Co-Prosecutor
	Assistant Prosecutor
	• Supervisor
0.40	• Translator
CMS	• Transcriber
	• Interpreter
WESU	Witness/ Expert Support
PTC	Legal Officer/Greffier
TC	International Legal Officer

There were 3 important questions asked in the pre workshop evaluation paper,, concerning their previous attendance, expectations and the most important issue. 36% had attended the workshop last year while 64% didn't join last year's workshop. The participants had different interesting expectations. Some participants want to know about Gender based violence, some wanted to share while some participants expected victims' participation in the workshop to provide opportunity to victims to show their painful and real story during Pol Pot regime related to violence against women like forced sex and forced marriage, etc. Furthermore, the last question focused on what the most important issue is that needs to be address in the workshop? Providing justice is the most important issue that almost participants have mentioned and need to discuss more. Several opinions raised the role of the court system (ECCC), providing equal rights for victims to participate in relevant activities, and guaranteeing that reparation projects satisfy victims.

### 2. Opening

Ms. Caitlin Reiger, expert consultant, opened the Workshop with a brief summary of what was covered in last year's session as well as the reparations session conducted a few days earlier. She also emphasized the importance of documenting what progress has been made within the ECCC regarding gender sensitivity, and the opportunities that still exist to leave a positive impact for Cambodia after the ECCC is finished. In order to make the most of these, it is important to reflect on the context in which the ECCC operates: nationally (both in terms of past and current justice challenges) and internationally. She also highlighted the relevance of this topic given that over 60% of civil parties are women, and the comments made recently by the CEDAW committee.

### 3. Session 2: Gender Justice at the ECCC in context

In order to give participants the current context against which we consider past violence against women, the next session focused on other efforts to address SGBV during the Khmer Rouge era, and the current prevalence and causes of sexual violence today in Cambodia. Regarding the first aspect, Mr. Duong Savorn from the Cambodia Defenders Project presented the main findings from CDP's research on what we now know about SGBV during the Khmer Rouge. He also described the women's hearings in 2011, 2012 and

2013 where survivors have publicly told their stories. After the break he also screened a short video of the women's hearing.

Then **Ms. Inala Fathimath** from UN Women presented the findings from the UN multicounty study on men and violence in Cambodia, highlighting some of the similarities in the forms of violence against women during conflict and in peacetime. (See attached below slide presentation for more detail information) A lively discussion followed, raising such questions about the need for more research about the links between past and present violence against women.

### 4. Role Play

After the break participants were presented with a traumatic testimony of a woman



subjected to extreme sexual violence in detention during the Khmer Rouge regime. Participants then split into pairs and were asked to imagine that they or a close relative had suffered something similar. They then had to discuss what different experiences of engaging with

the ECCC might have been like. They were asked to address the following questions: How do you feel about the experience? Did you have any difficulty? What might make the process easier/better?

Scenario A: You are a civil party.

It was a mixed experience – I was happy to participate and see justice done but I felt like the court didn't address my specific experiences. Where will this be dealt with? Scenario B: You testified as a witness

- I feel very herbier and traumatize and paint and I also feel angry who acted o me and.
- I give me a hart time to talk about this story. And it is difficulty to control to my anger.

- I don't want to be reminded of this sad story. I want to meet with psychological help and may they can advise me how to control my feeling. And if I know other victims to be testifies it will make me feel better and comfortable.

Scenario C: You made a complaint to the ECCC

I think, I am a lawyer, I also have a problem and our lawyer does not understand what we said. So if the lawyer

Scenario D: You attended an outreach event

-We want to know the civil party expectation what they need

*Scenario E:* You visited the court and watched the trial

- We feel very horrible as victim. And I feel emotional of context. If we are not looking to the ECCC, I feel the tribunal not provide the justice to me. Other is the culture context, as the victim doesn't want to talk about their own story.

*Scenario F:* You work (ed) at the court

- The experience flash back of memorial and I imagine for people who to come visit the court, some thing would be discuss upset
- Court staff: as a court staff, I found that victims have mix feel with themselves and they want to have the justice and some time we share their story. SO far, we have VSS and TPO that help them for better emotion and also teach them about proceed and after the testifying at the court, they feel more release.

### 5. Small Groups Discussion

The next session broke the participants into 4 small groups to reflect in detail on what progress the ECCC has made on integrating gender considerations into its work.









# The questions posed were:

- 1. What achievements can you identify in terms of gender-sensitivity?
- 2. What are the greater challenges?
- 3. What might still be possible to improve these outcomes?

The results of the groups' work is presented in the following table.

Question	<b>Judicial Proceedings</b>	Non-Judicial	Outreach/Public	Internal functioning
		Measures/reparations	Engagement	
Achievements	Some inclusion of SGBV charges such as forced marriage; female investigator; victim participation; Break taboo against sex crime discrimination	CP lawyers have advocated for victims - Request for Non- judicial for victims of sexual abuse - Request chamber to hear facts on sexual abuse - Ask to VSS approve project by to seek outsider funds for reparation - Reparation: satisfaction; rehabilitation	More than 220 000 people have visited court; screenings of videeos accompanied by female survivor who speaks at "memory nights"; CPs empowered; children of forced marriage exposed through radio talk shows	Creation of focal points (both gender and Sexual Exploitation and Abuse); networking; awareness of the mechanism; gender mainstreaming in recruitment; counseling service for staff regardless for gender; Training for each section both ECCC/UNAKRT; Gender mainstreaming and identifying behavior/noncompliance of sexual exploration and abuse;
Could have been better	Needed to start earlier with inclusion of gender crimes; more stories and testimonies needed	Fundraising hasn't been good; counseling very limited; women needed more encouragement to speak out	No gender data on outreach participation; women won't speak out as much; haven't been able to answer the question clearly about why SGBV ignored	Set up too late. More training for focal points. Women still underrepresented on both ECCC/UNAKRT. Counselling services for staff.
Still possible?	More attention to SGBV in cases 003/4; capacity building of staff; public and victim access to	More facts in next trial to use as a basis; reparations need to be more tangible;	Gender-disaggregated data must be collected of all public events; better presentation of SGBV in	Better publicizing of the work of the gender focal points so that staff can see the demand for their role.

C*1 · · · · · ·	11 1.1		
files; more provision of	counseling and therapy	outreach through study	Create awareness by
psych support services	for victims should be a	tours; screenings of CDP	training,
	priority	videos and help	information/updates
		distribute to community.	and involving more staff;
		- Provide one more	actively engaging in
		day extra for people	gender mainstreaming
		to stay a night in PP	more responsibility by
		as they are tired with	senior management in
		the long trip to ECCC,	ensuring of
		and then visit Toul	implementation of
		Sleng, etc.	_
		- Guide to victims	gender mainstreaming
			and awareness with
		when people come to	budget constraints
		Toul Sleng during	
		study tour	
		Better representation	
		of GBV in outreach	
		(screenings,	
		publications, etc.);	
		Linking GBV/SGBV to	
		crimes being	
		processed: for public	
		forum we go to the	
		place where crimes site	
		has.	
		- Coordination with	
		GBV experts/NGOs to	
		sensitize material	

### 6. Closing session

After each of the groups reported back, the workshop closed with some comparative reflections from a special guest, **Mr. Michael Hartmann**, who has worked as a senior prosecutor of sexual violence cases in countries ranging from the USA, Afghanistan, Indonesia, Solomon Islands and Kosovo for more than 30 years. He emphasized that prioritizing these cases often faces challenges and needs dedicated expertise and leadership. Ms. Caitlin Reiger then thanked all participants for their active engagement and closed the workshop.

### 7. Post Workshop Evaluation

After the coffee break, all the participants were requested to fill in the form of Workshop Evaluation in order to find out how the participants have enriched their knowledge in Gender Sensitivity and Transitional Justice. The evaluation paper was divided into two Paper, Pre and Post Workshop Evaluation. Otherwise, this part shows only about post workshop evaluation while Pre Workshop Evaluation has described above in point II.

Post Workshop Evaluation talks about the participants view about workshop such as the expectation, what they get from the workshop what could have been done in order to improve the next workshop and also recommendations. All of Participants' views about the workshop are shown in the table below:

	Question No1 Rates the following items	Question No2 Well organized and covered main point	Question No3 facilitator conveyed ideas effectively and clearly	Question No4 The most valuable aspect of the workshop	Question No5 What you leant	Question No6 What to improve in workshop	Question No7 Any comments
1 SD				- This workshop helped me gain perspective of	<ul> <li>The painful of victims</li> </ul>	- Presentation by UN Women	<ul> <li>Great Session, Thank you</li> </ul>
2 D 3 NS	1=6%			key elements to bring	- What could you	Representative	- More facilitator
4 A	1=6%	8=45%	9=50%	to my term to mainstream GBV/SGBV	done to address SGBV	seemed unprepared and lacking of the	input on working
5 SA	6=33%	10=55%	9=50%	into court business  Participants share opinions through group discussion and role play  Gender and sexual violation during KR and Victims reparations  Pay attentions and care about violation against women  Non-Judicial Measures and Reparations, Women hearing and role play  Promote and protect women rights and allow women victims to join the workshop	- The hardness of women who suffer from violation - Gender based violence and sexual violation during KR and it present until now - Get more experience about gender in proceeding at ECCC and society now - Gender and Justice - Type of Sexual crime and how to help victims	key information on the subject  Want to have participate from victims and civil party  In the context violation against women has to cooperate to advertise and the real implement activities rather that speaking and writing a lot of report  Create more workshop and promote women as victims to join Technical problem	group  Hope this workshop will result to prevent violation against women  The role play has to improve because the participants didn't understand  More training for next workshop  Put the goals to reach for next workshop and follow up the achievements. And that's great to have the measures to help the victims out of the problem but we need to prove
Total	18=100%	18=100%	18=100%			- Invite all the sections who involves this issue to participate more the conference and follow up each year the result	the efficiency of those measures as well.

# III. Closing

Ms. Caitlin Reiger closed the workshop and thanked all organization for their participation. There was a number of excellent knowledge from discussion in small group for participants to apply in the reparation projects. This is a useful workshop that provides opportunity for all organizations to share and get information including Gender Based violence and Reparations, she added. All participants can share and get knowledge in this workshop in order to participate in implementing meaningful reparations for victims.

### **Summary of Training**

- Gender sensitivity requires an awareness by all individuals within an institutions of the impact of cultural/social stereotypes on their work, followed by positive steps to overcome obstacles to quality
- ECCC-important role but not able to provide "Full justice"
- Other opportunities must be explored to promote transformative justice for victims of gender crimes in Cambodia

.....

Annex 1: Agenda

### **AGENDA**

# **Gender Sensitive and Transitional Justice**

Venue: Himawari Hotel/Thursday November 07<sup>th</sup>, 2013 Time: 8:00-3:00p.m

Time	Activities
8:00 - 8:30 A.M	Registration
8:30a.m-9:20 A.M	1. Introduction  Recap from last year's session on gender and transitional justice.  Handout: Summary of recommendations from last year and follow- up with those recommendations (what are the achievement)
	2. The ECCC in context: Gender Justice in Cambodia
9:20a.m-10:15 A.M	<ul> <li>a. What we know about gender violence under the Khmer Rouge and unofficial remedies (Mr. Doung Savorn, Cambodia Defenders' Project)</li> <li>b. Sexual Violence in Cambodia today (Ms. Inala Fathimath, UN Women)</li> </ul>
10.15-10.30 A.M	Coffee Break
10:30-11:00 A.M	3. Role Play (5 minute exercise followed by discussion)  This session aims to encourage participants to put themselves in the position of victims of sexual or gender based violence (during the DK regime or since) who have engaged with the ECCC (as victims, members of the public, staff members)
	4. Small group breakout for different aspects of the ECCC's work:
11:00-12:00 Noon	<ul> <li>Investigations and trial proceedings</li> <li>Non-judicial measures and reparations awards</li> <li>Outreach and other public engagement</li> <li>Internal functioning</li> <li>What achievements can you identify in terms of gender-sensitivity?</li> <li>Where could the ECCC have done more?</li> <li>What might still be possible to improve these outcomes?</li> </ul>
12.0-01.30 Noon	Lunch
01.30-02.30 Noon	<b>Report Back</b> Each group will summarize their discussion and present a strategy for improving the gender-sensitivity of each aspect of the ECCC's work.
02:30-03:00 P.M	Recommendations and wrap up
03:00 P.M	Closing by VSS/ECCC officer

### **Annex 2: Pre and Post Workshop Evaluation**

### **Pre-Workshop Questionnaire**

Welcome and thank you for joining the Follow-up training workshop. It is very important that we evaluated the usefulness of this event. Before we get stared, would you please spend a few minutes answering the following questions?

សូមស្វាគមន៍ និងសូមអរគុណចំពោះការចូលរួមក្នុងសិក្ខាសាលាថ្ងៃនេះ ហើយវាពិតជាមានសារៈសំខាន់ណាស់ ក្នុងការវាយតម្លៃនៃកម្មវិធីនេះ។ មុនចាប់ផ្ដើមនូវកម្មវិធី សូមអ្នកចូលរួមទាំងអស់ចំណាយពេលវេលា២ទៅ៣នាទី ដើម្បីឆ្លើយនូវសំនូរដូចខាងក្រោម:

1.	Did you attend last year Training workshop? តើអ្នកបានចូលរួមសិក្ខាសាលានេះ កាលពីឆ្នាំមុនទេ?
	🔲 Yes បាទ/ចាស 🔲 No មិនបាន
2.	What are you expecting from the Training workshop? តើអ្នករំពឹងចង់បានអ្វីពីការចូលរួមសិក្ខាសាលាថ្ងៃនេះ?
3.	What do you think is the most important issue that needs to be address today? តើអ្នកគិតថា អ្វីជាបញ្ហាសំខាន់ ដែលត្រូវលើកឡើងនៅក្នុងសិក្ខាសាលាថ្ងៃនេះ?
4.	What is your current role? តើបច្ចុប្បន្នអ្នកមានតូនាទីជាអ្វី?
	·

# **Post-Workshop Evaluation**

Please rate the following items on a scale from 1 to 5 by circling the appropriate numbers	er:
1=Strongly Disagree (SD); 2 = Disagree (D); 3 = Not Sure (NS); 4 = Agree (A); 5 = Strongly Disagree (SD); 2 = Disagree (D); 3 = Not Sure (NS); 4 = Agree (A); 5 = Strongly Disagree (D); 5 = Strongly Disagree (D); 5 = Strongly Disagree (D); 6 = Not Sure (NS); 6 = Not Sure (NS); 6 = Not Sure (NS); 7 = Not Sure (NS); 8 = Not Sure (NS); 9	ıgly
Agree(SA).	

សូមធ្វើការវាយតម្លៃនូវចំនុចដូចខាងក្រោមដោយដ	កក់ចំណាត់ថ្នាក់ រំ	លែខ១ដ	ប់លេះ	ខ៥ដោ	យ			
គូសជារង្វង់លើចំណាត់ថ្នាក់ដែលសមស្រប៖								
១. ពិតជាមិនយល់ព្រម ២. មិនយល់ព្រម	៣. មិនច្បាស់	៤. យល់ប្រ	ពុម	៥. ពិ	តជា	ប្រល់ប្រ	ាម	
		SD	D	NS	Α	SA		
1. I felt that the workshop was well organ main points were well covered and clarifi ខ្ញុំគិតថាសិក្ខាសាលាត្រូវបានរៀបចំឡើងបានយ៉ាង ចំណុចសំខាន់ៗត្រូវបានលើកឡើងបានយ៉ាងល្អ និ ច្បាស់លាស់	ied. ល្អ ហើយ			1	2	3	4	5
2. I felt that the facilitator demonstrated comprehensive knowledge of the subject ខ្ញុំគិតថាអ្នកសម្របសម្រួលបានចែករំលែកចំណេះ យ៉ាងក្បោះក្បាយ ពីមេរៀនដែលពាក់ព័ន្ធ				1	2	3	4	5
3. I felt that the facilitator conveyed ideas and clearly and the material was informa to understand. ខ្ញុំគិតថាអ្នកសម្របសម្រួលបានផ្ដល់នូវគំនិតជាច្រើ ដោយអត្ថន័យ និងច្បាស់លាស់ ហើយឯកសារពិត និងងាយស្រួលយល់	tive and easy នៃពោរពេញ			1	2	3	4	5
4. What was the most valuable aspect of t តើអ្វីជាទស្សន:ដែលមានតម្លៃបំផុតនៃសិក្ខាសាល	-							

5. What did you learnt from today? តើអ្នកបានដឹងអ្វីពីសិក្ខាសាលាថ្ងៃនេះ?
6. What could have been done to improve the workshop? តើត្រូវធ្វើអ្វីខ្លះដើម្បីឱ្យសិក្ខាសាលានេះកាន់តែប្រសើរឡើង?
7. Additional Comments or suggestions: គំនិតយោបល់បន្ថែម ឫសំណូមពរ

.....

### **Annex 3: List of Participants**

# Identifying lessons from the ECCC on Gender Sensitivity and Transitional Justice Follow Up Workshop for ECCC officials

Venue: Himawari Hotel and Apartment/Function Room I and II

Thursday November 07th, 2013 Time: 8:00-3:00p.m

# Participant list

No.	Name	Org	Function	Telephone	Email	Signature
1	Ms. Inala Fathimath	UN Wome n	Programme Specialist		inala.fathimath@unwo men.org	
2	Ms. Caitlin Reiger		Expert Consultant		caitlinreiger@yahoo.co m	
3	Mr. Michael Hartmann		UNAMA (Afghanistan)		intprosecutor@yahoo.c om	
4	Ms. HENG Youleng	VSS	Complaints and Applications Manager	012 904746	Heng.youleng@eccc.go v.kh	
5	Ms. HENG Kimhuch	VSS	Program Associate	089 58 99 58	Heng.kimhuch@eccc.gov.kh	
6	Ms. KAING Monida	VSS	NJM/Reparation Assistant/outreach		Kaing.monida@eccc.go v.kh	
7	Mr. Chandaro Eav	VSS	Assistant	017 277736	Eav.Chandaro@eccc.gov.k	

_	Ma DOUG Chandamany	VSS	Finance/Admin	012 559299	Rous.chendamony@ecc				
8	Ms. ROUS Chendamony	V 33	Assistant	012 559299	c.gov.kh				
	PAS								
9	Mr. DIM Sovannarom	PAS	Chief of PAS		Dim.sovannarom				
10	Ms. Jenilee WARD	PAS			WARD.Jenilee@eccc.go v.kh				
	Judge								
11	Ms. Agnieszka Klonowiecka-Milart	ECCC	Judge		Klonowiecka- milart@un.org				
			CMS						
12	Ms. Krystal K. Thompson	CMS	Legal Officer	012 488 163	thompson3@un.org				
13	Mr. SANN Rada	CMS	Case File/ Court Officer		Sann.Rada@ECCC.GOV.KH				
14	Mr. PEANG Tola	CMS	Records/Archives Officer	012 677181	Peang.Tola@ECCC.GOV. KH				
15	Ms. Birhane RETA	CMS	Records/Archives Management Officer		retab@un.org				
16	Ms. SOUR Sotheavy	CMS	Court Assistant		Sour.sotheavy.eccc.gov.				
17	Ms. Seynabou DIOP	CMS	Supervisor		diop13@un.org				
18	Ms. Sophal Ly	CMS	Transcriber		Ly.Sophal@eccc.gov.kh				
19	Mr. Bunleng Cheung	CMS	Translator		cheung1@un.org				
20	Mr. SENG Phally	CMS	Interpreter		sengp@un.org				

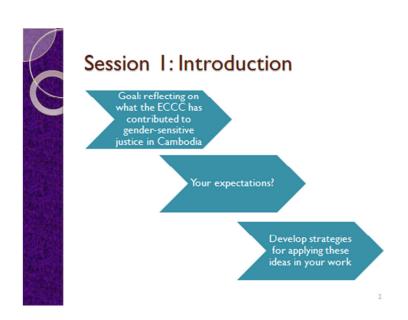
21	Mr. SUNG Vinntik	CMS	Interpreter		SUNG.Vinntik@eccc.gov .kh			
WESU								
	Ms. Sophia Swart	WESU	Witness/ Expert		swarts@un.org			
22			Support		Swarts@un.org			
20	Mr. Samnang Nhem	WESU	Witness/ Expert		Nhem.Samnang@ECCC.G			
23			Support		OV.KH			
	DSS							
	Ms. NOY Sophary	DSS	Case Manager of DSS	017 883361	Noy.sophary@eccc.gov.			
24					kh			
25	Mr. NARA CHANN	DSS	Case Assistant	012-809-693	channn@un.org			
26	Mr. IM Lim	DSS	Case Assistant		limi@un.org			
			TC/PTC					
27	Mr. Roger Phillips	ТС	Int' Legal Officer		phillipsr@un.org			
	ОСР							
28	Mr. Nicholas Koumjian	ОСР	Co-Prosecutor		koumjian@un.org			
29	Mr. Salim NAKHJAVANI	ОСР	Assistant Prosecutor		nakhjavani@un.org			
	CDP							
30	Ms. Beini YE	CDP	Advisor	012 973 026	beini.ye@giz.de			

31	Mr. DOUNG Savorn	CDP	Project Coordinator	012 800 816	savorn@cdpcambodia. org			
DDOA/HRS								
32	Ms. OUCH Nipon	HRS	OiC of HRS		Ouch.nipon@eccc.gov.kh			
33	Mr. KIM San	DOA	Associate Legal Officer		San.kim@eccc.gov.kh			
ОСР								
	Mr. VENG Huot	ОСР	National Deputy Co-		VENG.Huot@eccc.gov.kh			
34			Prosecutor					
			OCIJ					
25	Dr. MEAS Bora	OCIJ	Investigator/Research		Meas.Bora@eccc.gov.kh			
35			er/Analyst					
	Mr. NEAK Seakirin	OCIJ	National Legal Officer		Neak.Seakirin@eccc.go			
36					v.kh			
	Mr. NGUON Ratana	OCIJ	Legal Officer		NGUON.Ratana@eccc.g			
37					ov.kh			
	Ms. NEUV Socheata	OCIJ	Consultant		NEUV.Socheata@eccc.g			
38					ov.kh			
Mid-term Evaluation								
39	Mr. Julian Poluda		Mid-term Consultant	089-669550	julianpoluda@gmx.de			

40	Ms. Dorine van der Keur		Co-Evaluator	dorinevanderkeur@gm ail.com				
Other								
41	Dr. Prum Virak		British Embassy	virakprum@gmail.com				
42	Mr. Nicholas KOUMJIAN	ECCC	Co-Prosecutor	koumjian@un.org				

# - Annex 4: Slide Presentation from Expert Consultant







# Recap of legal obligations to provide SGBV victims with a remedy

- UNSC Resolutions 1325, 1888 oblige member states to ensure that perpetrators of SGBV are held accountable
- ICCPR and CEDAW victims of serious human rights violations are entitled – without discrimination- to an effective remedy
- Constitution of Cambodia



# Gender-sensitive TJ recognizes:

- some crimes are committed exclusively or disproportionately against women for reason of their sex or gender stereotypes. Men can also suffer SGBV.
- · gender-violence stems from gender-discrimination
- · Harm may be hidden (original and ongoing)
- Need for multidimensional strategies (protect, prevent, participate)
  - Redress past abuses
  - Establish women as rights-holders
  - · Ensure accountability for those responsible
  - Empower women in rebuilding new legal order



# **CEDAW Committee:**

"The Committee is concerned that the Extraordinary Chambers in the Courts of Cambodia (ECCC) have not adequately addressed cases of gender based violence, in particular sexual violence against women committed under the Khmer Rouge regime. The Committee is concerned that the State party lacks other mechanisms, including non-judicial programmes, to provide effective redress to victims of other forms of gender-based violence committed during the Khmer Rouge regime.....

The Committee urges the State party to provide effective redress to victims of gender-based violence, in particular sexual violence against women committed during the Khmer Rouge regime, and develop effective non-judicial transitional justice programmes, including the provision of adequate reparations, psychological and other appropriate support..."

(Concluding Observations on Cambodia's 4th/5th periodic report, 18 October 2013)



### Session 2: The ECCC in context

### THFN-

Gender violence under the Khmer Rouge and unofficial justice efforts (Duong Savorn, CDP)

#### NOW:

Recent research on current prevalence of sexual violence in Cambodia (Inala Fatimath, UN Women)



# Opportunities for addressing gender inequalities in reparations programs

- 1. Prioritize the most vulnerable
- 2. Empower women and men through <u>participation</u> in the design and implementation of projects
- 3. Minimize the impact of discriminatory practices
  - · Recognize much harm remains hidden
  - Avoid retraumatization
  - Practical access? Timing, location, literacy, childcare, bank accounts, transport
- 4. Educate communities about sexual violence



# Session 4: Role Play

Break into pairs and imagine you or a close relative suffered something similar to what you heard on the video. Discuss one of the following for 10 minutes:

- You are a civil party
- 2. You testified as a witness
- You made a complaint to the ECCC
- 4. You attended an outreach event
- 5. You visited the court and watched the trial
- 6. You work(ed) at the court

How do you feel about the experience? Did you have any difficulty? What might make the process easier/better?



# Session 5: Small Groups

- A. Investigations and remaining proceedings
- Non-judicial measures and reparations awards
- C. Outreach and other public engagement
- D. Internal functioning.

#### Questions

- What achievements can you identify in terms of gender-sensitivity?
- 2. What are the greatest challenges?
- 3. What might still be possible to improve these outcomes?



# Questions and discussion?



# Report back and next steps

11

Slide Presentation from UN Women

**Continuities of violence:** findings from the UN Multicounty Study on Men and Violence in Cambodia

**UN Women presentation** 

7 November 2013



Contact: inala.fathimath@unwomen.org

# Training and data collection

- 3 weeks training & pilot, covering sensitization on gender, sex, sexualities and masculinities; an introduction to gender-based violence; field procedures; ethics and safety; working conditions and logistics; questionnaire familiarization; interview techniques; PDA-use; and supervisor training
- Fieldwork from 21st March to 30th April 2012
- Data collected in rural and urban sites: Kampot, Sihanoukville, Siem Reap, Battambang, and Phnom Penh.
- > Teams of 3 interviewers and a supervisor: 3 male teams & 1 female team.

### Ethics and safety

- Informed consent and voluntary participation
- Confidentiality: privacy, anonymity and PDA-use
- Fieldworker training on handling ethical issues
- Provision of crisis intervention

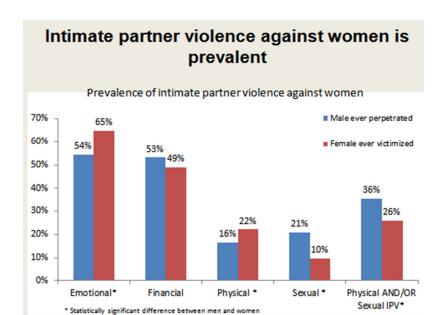
3

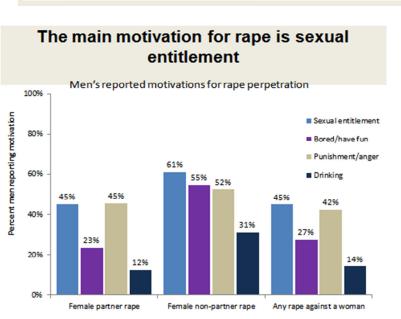


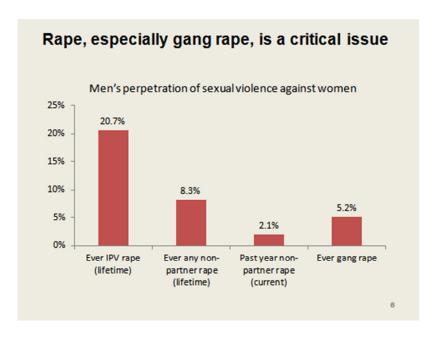
# Characteristics of sample

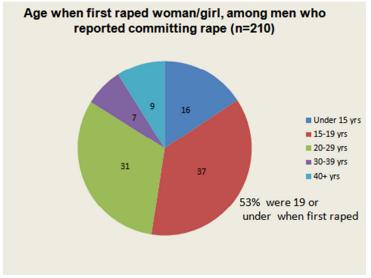
- > Over 55% of respondents were between 20-34 years old
  - Sample <u>older than national</u> average with twice as many 30-34 & 45-49
- Education: overall men higher education
  - Sample more educated than national average, with more than twice as many with some secondary or more
  - · 9% men and 24% women had no education
- Majority of men (86%) & women (66%) currently employed
- > Over 70% of men and women were currently married

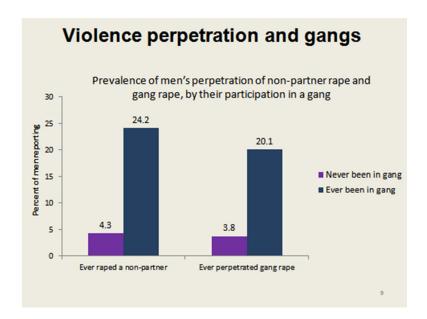
4

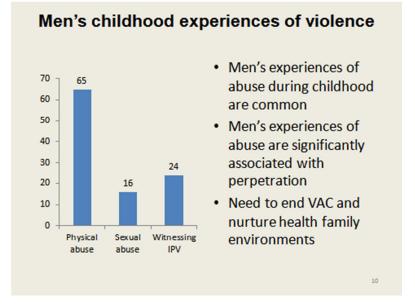


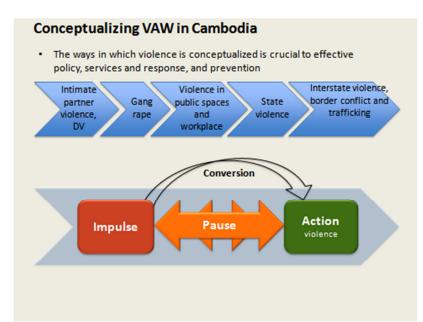












# Steps forward to prevent violence

- Promote masculinities and behaviors defined by caring, consent and respect, reversing notions of sexual entitlement, and use of violence
- Promote healthy family and school environments to end child abuse
- Focus rape prevention starting with boys younger than 15
- Increase men's access to and use of psychological counseling services

### Harmful masculinities

- 96% of men and 99% of women interviewed believed that 'to be a man you need to be tough'
- · 8% of men have ever been in a gang
- · 10% have ever used a weapon when fighting
- Half of all men had ever had transactional sex and 18% had ever had sex with a sex worker

## Implications...

- Perpetration of VAW is prevalent
- Sexual violence is a major issue prevention efforts must move beyond physical domestic violence focus
- Gang rape is highly prevalent compared to the region
- Men who rape start early in life target prevention efforts at younger age groups of boys
- Rape often motivated by entitlement, anger and fun
- Must address childhood trauma

# Steps forward to prevent violence

- Promote masculinities and behaviors defined by caring, consent and respect, reversing notions of sexual entitlement, and use of violence
- Promote healthy family and school environments to end child abuse
- Focus rape prevention starting with boys younger than 15
- Increase men's access to and use of psychological counseling services

# Thank you!



Contact: inala.fathimath@unwomen.org