Report

Follow-up Training Workshop on

“Gender Sensitivity Reparations Awards”

Date: Monday 4th November 2013

Phnom Penh, Cambodia

Funded by:

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

On 04th 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 Reparations Workshop” for Civil Parties Lawyer, Lead Co-lawyer and Civil Society, and was held at the Himawari meeting room, Phnom Penh. The workshop was facilitated by Ms. Caitlin Reiger, expert consultant. The workshop was attended by 45 participants (Female: 24; Male: 21) from different organizations.
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 funding by the United Nations Trust Fund To End Violence against Women. This workshop was created to follow-up the workshop in 2012. Given the stage of proceedings before the ECCC, the workshop focused on Gender Sensitivity Reparations Awards related to the implementation of reparations for Khmer Rouge Victims and are hoped to result from the verdict in case 002/01.

2. **Purpose**

The reparations training was aimed at those involved in the formulation and implementation of any awards of reparations that may result from the verdict in Case 002/01. The material covered was also relevant to other reparative programming that NGOs may engage in with victims of Khmer Rouge crimes. The primary beneficiaries will include the Lead Co-Lawyers, VSS staff and NGOs partners.

The main purpose was to create an opportunity for participants from different institutions such as Lead Co-lawyers, Civil Parties’ Lawyers, and NGOs to share knowledge and experience with Gender based violence, so as to ensure that their implementation of reparation projects are responsive to the needs of victims of sexual and gender-based violence in order to reduce their painful for about 25 years ago.

**II. Workshop**

1. **Pre Test Workshop Evaluation**

Before start the workshop, VSS staffs ask all the participants fill in the Pre-test workshop evaluation:
1. Did you attend last year Training workshop?
   • 60% attended last year Training Workshop
   • 40% did not attend last year Training Workshop
2. What are you expecting from the Training workshop?
   • To know about new development of GBV and reparation
   • To know about reparations projects such as kinds of reparations and activities of reparations
   • To promote women to participate in the activities against violation
   • To know more about Women violation during Khmer Rouge Regime
   • Strategies and result of the project
3. What do you think is the most important issue that needs to be address today?
   • Women's Violence or Gender based violation
   • To know about problem of victims to participate in the activities against violation
   • Reparation Projects
   • How the victims understand about ECCC’s proceedings
   • How to prevent GBV in the future
   • Effective of solving the problems
4. What is your current role?

<table>
<thead>
<tr>
<th>Workplace</th>
<th>Position</th>
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<tbody>
<tr>
<td>ECC</td>
<td>-Chief of PAS</td>
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<tr>
<td></td>
<td>-Lead Co-Lawyer (National and International)</td>
</tr>
<tr>
<td>VSS</td>
<td>-Program Association</td>
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<tr>
<td></td>
<td>-Administrative and finance Assistant</td>
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<tr>
<td></td>
<td>-Outreach Coordinator</td>
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<td></td>
<td>-Civil party Lawyers</td>
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<td></td>
<td>-Legal Assistant</td>
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<tr>
<td>CDP</td>
<td>-Executive Director</td>
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<td>-Civil Party Lawyers/Advisor</td>
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<td></td>
<td>-Project Coordinator</td>
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<tr>
<td>LAC</td>
<td>-Civil Party Lawyer</td>
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<tr>
<td>Organization</td>
<td>Position</td>
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<tr>
<td>ASF</td>
<td>Assistant Lawyer</td>
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<tr>
<td></td>
<td>International CPL</td>
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<tr>
<td></td>
<td>Project Coordinator</td>
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<tr>
<td>CHRAC</td>
<td>Project Officer</td>
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<td></td>
<td>Assistant</td>
</tr>
<tr>
<td>CPL</td>
<td>Civil Party Lawyer</td>
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<tr>
<td>ADHOC</td>
<td>KRT project Coordinator</td>
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<td></td>
<td>Head of Women and Children rights section</td>
</tr>
<tr>
<td>YFP</td>
<td>Fundraising and communication manager</td>
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<td></td>
<td>Executive Director</td>
</tr>
<tr>
<td>LICADO</td>
<td>Women's rights Supervisor</td>
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<td>ICFC</td>
<td>Program officer</td>
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<td></td>
<td>Advisor</td>
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<td>OI</td>
<td>Women Program Manager</td>
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<td>Program Assistant</td>
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<tr>
<td>DC-Cam</td>
<td>Team Leader</td>
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<td>Grant Manager</td>
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<td>TPO</td>
<td>Advisor</td>
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<td>Mental Health Technical Assistant</td>
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<td></td>
<td>Counselor/Trainer</td>
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<td>Banteaysrei</td>
<td>Shelter Coordinator</td>
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<tr>
<td>AIJI</td>
<td>Representative</td>
</tr>
<tr>
<td>CMS</td>
<td>Translator</td>
</tr>
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<td></td>
<td>Interpreter</td>
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<tr>
<td>Mid-term Evaluation</td>
<td>- Freelance Consultant</td>
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</table>

There are 3 important questions that asked in the pre-workshop evaluation paper. First, 3 concerning questions had asked to the participants such as the attending, expectation and the most important issue. There are 60% had attended the workshop last year while 40% didn’t join last year workshop. The participants have different interesting expectations. And all expectations concern to the reparation projects and Gender based violence. Some participants want to know about reparations and Gender based violation, some want to
share and some expect victims’ participation in the workshop to provide opportunity to
victims to show their painful and real story during Pol Pot regime related to violation
against women like forced sex and forced married, etc. Furthermore, the last question focused
about, what the most important issue is that needs to be address in the workshop?
Meaningful reparations are the most important issue that almost participants have
mentioned and need to discuss more. In order to get the meaning reparations, there are
several opinions that participants raised, provide justice through the court system (ECCC),
provide equal rights for victims to participate in any activities, guarantee that reparation
projects are satisfied by victims and so on.

2. Opening Remarks

Mr. Sok Sam Oeun, Executive Director of CDP opened the Workshop by raising 3 important
points including violation against women during Khmer Rouge Regime, Problem of the
Khmer Rouge Victims and discrimination against women. Violation against women is not
only an issue during the Khmer Rouge regime but also now, he added. And nowadays it is
also violation against men. That’s why we called gender based violence. We have to work
hard and consider ourselves in the position of victims to get in touch with the victims and
then we will know how hurt and what the victims want. After that we will find meaningful
implementation of reparation project because we understand about victims and regard
what they want. So, the reparation project will make victims feel better and better that we
can call meaningful reparations.

3. Lessons from International Practice by Ms. Caitlin Reiger, expert
consultant) presentation Gender and Reparations in Cambodia

After the opening remarks Ms. Caitlin Reiger provided an overview of Gender and
Reparations in Cambodia. During her presentation, she underlined the legal basis of the
right to reparations, and highlighted the recent comments by the CEDAW Committee
regarding Cambodia. CEDAW Committee is concerned that ECCC has not adequately
addressed cases of gender based violence, in particular sexual violence against women
committed under the Khmer Rouge regime, and also urged the Cambodian government to
ensure that non-judicial transitional justice processes (including reparations) are
established for victims. Related to this idea, a question had asked by Mr. Pich Ang, LCL of
ECCC, why the Committee said ECCC have not addressed cases of gender based violence? Moreover, she also presented about international practice of reparations which must go above and beyond the immediate reasons and consequences of the crimes and violations; they must aim to address the political and structural inequalities that negatively shape women’s and girl’s live. (See attached of slide presentation)

Ms. Caitlin Reiger raised 3 useful key principles to make meaningful reparation projects:

- Judicial and administrative reparations should be available to victims of conflict related sexual violence to obtain prompt, adequate and effective remedies
- Individual and collective reparations should complement and reinforce each other
- Meaningful participation and consultation of victims in the mapping, design, implementation, monitoring and evaluation of reparations should be ensured.

4. Continuities of violence by Ms. Inala Fathimath, UN Women

In order to give participants the current context against which we consider past violence against women, the next session focused on the prevalence and causes of sexual violence today in Cambodia. Ms. Inala Fathimath presented about the findings from the UN Multicounty Study on Men and Violence in Cambodia. (see attached slide presentation for more detail information). A short discussion followed about the importance of exploring the links between past and present violence.

5. Exercise (30 minutes) and report back:

This session aims to encourage participants to put themselves in the position of victims who reparations project are intended to benefit.

Ms. Caitlin asked the participants working in pairs to explore the arguments in favor of two different approaches to incorporating a gender focus. The first is to focus on women’s experiences, whereas the second is to look at broader structural causes of gender violence. (One person takes position A and another takes position B). They had 30 minutes to discuss about this case and there were lively debates presented back to the larger group. Most people felt that both approaches had merit and ideally programming should incorporate elements of both in their work.
Person A is meeting with a KR victim to encourage them to participate in a reparations project (you can choose one you are familiar with). You know the person has suffered but you don’t know the details.

Person B is the victim. Read the testimony sheet and imagine you have experienced something similar.

How did you each feel? Did either of you have any difficulty? What might make the process easier could you make it easier?

<table>
<thead>
<tr>
<th>Person A</th>
<th>Person B</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) It really difficult to interview with the Civil Party so we need to have self-motivate victims to speak out</td>
<td>1) Mr. Ven Pov, Civil Party Lawyer of VSS, shared his own experience about the difficulty of pushing women victims to tell the real story during Pol Pot’s regime because he is a men and victim of violation is woman. Victims very embarrass to tell their real story of force sex to a lawyer as a man, he added. Even though, this situation embarrass he said that he have to find any ways to convict victims to tell him the real violation in order to claim and provide the meaning reparations. On the other hand, this workshop was also created to know about the ideas from participants concerning gender based violence and reparation.</td>
</tr>
<tr>
<td>2) When I am interview the victims so what the difficult to me, as I am a civil party lawyer (male) so the female victims would not speak out. So I try to meet her many time and remind her about her past.</td>
<td>2) Ms. SIN Soworn, CPL put herself in the position of victims: I am a victim, I feel to difficult and I don’t want to remind the bad story happened uring the Khmer Rouge again…it really hurts...she cries. If I am remind my past experience, what should I get? Lastly, I agreed to speak out as my partner has a good motivate. I think that the ECCC will find the Justice for me and can help me.</td>
</tr>
<tr>
<td>3) During my interview, the victims request for reparation; but the victim doesn’t know to request the reparation from whom. She request the mobile reparation.</td>
<td></td>
</tr>
<tr>
<td>4) Other victims, she is scares with the prospector who live close her home so the victim is not speak out so we tries to motivate her to speak out. Then, the victim request the money reparation so we tell the victims that ECCC have only the collective and moral reparation.</td>
<td></td>
</tr>
<tr>
<td>5) I am Civil party lawyer: I am lawyer I</td>
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</tbody>
</table>
need to motivate the victims, especially in rape and forced marriage’s victims. We need to convince victim to speak out. When the victims cries, we put our hand to her shoulder and let them cries. Some time we cries together. To do so, it will make the victims feel comfortable and can speak her story. and she also want to share this experience to young generation that the rape is really have in Khmer Rouge regime. I need to share this experience as I also have a daughter so I don’t want this story happened to my daughter. A mention that have only moral reparation so B request to put the lesion learnt in to the school’s schedule.

3) My partner is the man so I feel shy to speak with him (face to face) it really difficult to tell him about my story during the Khmer Rouge and my partner is the male so he is really hard to speak and ask me too.

6. Small Group Discussion

Then the participants split into small groups to explore in more detail the opportunities and possible strategies for gender-sensitive reparations for past crimes in Cambodia. The structure followed the categories used by the LCLs in their submissions to the Trial Chamber in Case 002/1. As described further below, each group focused on a different area of Reparations activities currently underway or planned. In the discussion afterwards, some participants want further help through more workshops and also provide opportunity to victims to show their feeling during Khmer Rouge regime, while others wanted to guarantee that the implementation of reparation shall be satisfied by victims and reparation projects should cooperate with government. Otherwise, Ms. Elisabeth Simonneau-Fort, LCL of ECCC, recommended to focus on 3 important things including Gender based violence during Khmer Rouge regime, how to make reparation project with meaningful implementation and non-Judicial reparations and judicial reparations.
The participants divided into 3 groups to discuss the following categories of reparations:

A. Remembrance/memorialization
B. Rehabilitation
C. Documentation/Education

Questions:

1. Will your project benefit man and women equally? How will you know?
2. How might your project transform lives?
3. What challenges might there be?
4. Identify 3 steps to improve the gender sensitivity of the project

Group A: Remembrance/memorialization

1. Benefits equally

PMI: will be equal because can choose: # of women and man to project (in consultation/design)
NDR: will be equal because one day for hold national both gender will be encouraged to participate.

- Potential problem with female accessing memorial sites?
  - Collect data on women’s vs men’s access
  - Equalize participation through a affirmative efforts to bring number of female and male

- Other activities (dialogues, speakers, etc)
  - Problem : Women not speaking/participating equally
  - Solutions? Space just for women
  - Process Guided facilitation and calling on women

- Female involved from beginning –obstacles identifies beginning
- Monitoring throughout to assess participation

2. Transformative potential

a. Not completely change but female participation might increase.
b. When working with communities committees, you teach them about gender equality

c. Problem: balance issue of gender with themes of the memorial

d. Substance: including and highlighting women’s experience under Khmer Rouge.
   - Explaining why these stories/ perspective is included.

3. Challenges

   a) When at home, less able to venture out---more work/obligations

   b) Women less likely to give viewpoint or participate in groups with men

   c) For implementers: Easy to forget gender perspective

      • Solution: systematically include issue in all stages, elements of project

      • lack of information/awareness about women’s experiences under Khmer Rouge

4. Strategy to make project(s) gender-sensitive?

   1) collect data on women’s men’s access

   2) Gender specially

   3) Process specific solution

   4) Substance: including and highlight women’s experience under Khmer Rouge.

Group B: Rehabilitation

1. Benefits equally

   TPO: Help equal. KRT Project: Fund by UN Trust Fund Project that w are focus on women ( some amen are include)

   Self help group: 12 members in self help group. We are facilitate them to be group and motivate them among their them.

   For example: SHG of GBV, SHG of torture survivors

2. Transformative potential

   • Being able to express

   • Integrate into social activities
- Feel more support (from herself and family and community members)
- Feel more empower
- More confident and hope

3. **Challenges**

- Limited of participants
- Difficult to contact
- Concern of security
- Poor economic
- Old, health
- Political pressure
- Lose confident of ECCC

4. **Strategy to make project(s) gender-sensitive?**

1) Awareness Raising ( in communities)
2) Encourage men and women in all activities (sage environment)
3) Advocate to get more fund/donor and government to address (NGOs partner) this gender issue.

**Group C: Documentation/Education**

1. **Benefits equally**

   - gender-blind design
   - gender balance /equality to the content of the project men and women

   How will you have known?
   - record visitors
   - trains museum admin to be gender-sensitive

2. **Transformative potential**

   - educational/educated people
   - acknowledgement
- encourage debate/discuss
- contribute to close/reconciliation
- Empower victims/survivors

3. **Challenges**

- Victims away cannot read/write
- Lack Cambodian go to museum
- Lack of encouragement to visit museum
- Visiting museum is not a part compulsory of education
- Lack of access to information

4. **Strategy to make project(s) gender-sensitive?**

1) Design of content have to be gender-sensitive

2) Make all efforts to bring balance between man and women (beneficiaries), outreach?

3) Evaluation/survey

**Comment from participants:**

1. We explain that women can speak, how man should understand the behaviors

2. They are not alone, it have a lot of work to do with women to change their mind, some time can change not only the man but some thing of man

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 Reparations. The evaluation was divided into two Paper, Pre and Post Workshop Evaluation. Otherwise, this part show only about post workshop evaluation and Pre Workshop Evaluation has described above.

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:
<table>
<thead>
<tr>
<th>Question Nº 1</th>
<th>Question Nº 2</th>
<th>Question Nº 3</th>
<th>Question Nº 4</th>
<th>Question Nº 5</th>
<th>Question Nº 6</th>
<th>Question Nº 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rates the following items</td>
<td>Well organized and covered main point</td>
<td>facilitator conveyed ideas effectively and clearly</td>
<td>The most valuable aspect of the workshop</td>
<td>What you learnt</td>
<td>What to improve in workshop</td>
<td>Any comments</td>
</tr>
<tr>
<td>1 SD</td>
<td>2 D</td>
<td>3 NS</td>
<td>4 A</td>
<td>5 SA</td>
<td>1=4%</td>
<td>2=99%</td>
</tr>
<tr>
<td>2=9%</td>
<td>2=10%</td>
<td>22=92%</td>
<td>18=75%</td>
<td>16=66%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4=16%</td>
<td>3=13%</td>
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</tbody>
</table>

- Exchange ideas and Experience related to Gender and Violence
- International Practice for reparation projects
- The Video shows of KR victims and the ideas from group discussion about how to reduce painful of the victims
- Cooperation with Government to put GBV during KR to ECCC
- Statistic of UN women about Gender based Violence
- Learn about sexual violence, gender and reparations
- Plan and Goal for doing next for victims
- Resolutions of equal and inequality of reparations in other countries
- More discussion rather than presentation
- Provide opportunity to victims to participate in workshops to share ideas and painful during KR
- If it is impossible to provide opportunity to victims to participate in workshops please share the meaning and result of workshop to them
- It will be better if there is any participate from government
- Push the participants to involve more and share their ideas
- Show the activities that have implemented
- Guarantee the reparation projects that implemented are satisfied by victims
- It will be better if we can create this workshop very often
- Share the information of workshop to the local people
III. Closing

Ms. Catlin 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 creating and implementing meaningful reparations for victims. Informal feedback received suggests that the workshop has already prompted more discussion on this issue among civil party lawyers.

Summary of Training

- The ideas of Gender Based Violence and Reparations
- 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 reparations for victims of gender crimes in Cambodia
### AGENDA

**Gender Sensitive Reparations Workshop**  
Venue: Himawari Hotel/Monday November 04th, 2013  
Time: 8:00-3:00p.m

<table>
<thead>
<tr>
<th>Time</th>
<th>Activities</th>
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<tbody>
<tr>
<td>8:00 – 8:30 a.m</td>
<td>Registration</td>
</tr>
<tr>
<td>8:30a.m-8:40 a.m</td>
<td>Welcome Remarks Mr. Sok Sam Oeun, Executive Director of CDP</td>
</tr>
</tbody>
</table>
| 8:40a.m-9:15 a.m| 1. **Introduction**  
*Purpose of the workshop, goals, expectations.* This session will recap on what we know about SGBV during the DK regime, and how to ensure that reparations are gender-sensitive in both design and implementation. |
| 9:15-10.00 a.m  | 2. **Lessons from International Practice (Caitlin Reiger, facilitator)**  
This session will examine recent developments at the international level on gender and reparations based on comparative experiences.  
*Handout: UN Women report of Kampala workshop on Gender, Reparations and Development.* |
| 10:00-10:15 a.m | 3. **Continuities of violence (Inala Fathimath, UN Women)**  
Women’s experiences of sexual and gender-based violence often continue before, during and after conflict. UN Women will present recent research findings on the prevalence of such violence in Cambodia and region. |
| 10:15-10:30 a.m | **Coffee Break** |
| 10:30-11.00 noon| 4. **Role Play (3x 5 minute exercises followed by discussion)**  
This session aims to encourage participants to put themselves in the position of victims who reparations projects are intended to benefit. |
| 11.00-12.00 noon| 5. **Small group breakout for each proposed category of reparations (Remembrance/memorialization; Rehabilitation;** |
Questions for each group:

- How might these projects affect men and women differently? As beneficiaries?
- Is more information needed?
- What obstacles might exist to accessing this remedy equally?
- Is there a risk that the project will reinforce existing inequalities? How could these risks be minimized?

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<thead>
<tr>
<th>Time</th>
<th>Activity</th>
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<tbody>
<tr>
<td>12:00-1:30p.m</td>
<td>Lunch</td>
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<tr>
<td>1.30-2.30p.m</td>
<td>Report back</td>
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<td>Each group will summarize their discussion and present a strategy for improving the gender-sensitivity of each project.</td>
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<tr>
<td>2.30-3.00p.m</td>
<td>Recommendations and wrap up</td>
</tr>
<tr>
<td>3:00p.m</td>
<td>Closing by VSS/ECCC officer</td>
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1 These are the categories of projects proposed by civil parties to the Trial Chamber in case 002/01.
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?

1. Did you attend last year Training workshop? តើអ្នកកូនបានសិក្សាតាមតែម្នាក់មួយមករបស់អ្នកមិនបានរៀបចំកូនបានរៀបចំដំណើរតាមម៉ូតែស៊ីតនេះមកមកទៀតមិន។
   - Yes រៀបចំកូនបាន
   - No មិនរៀបចំកូនបាន

2. What are you expecting from the Training workshop? អ្នកគិតថាលែងក្នុងការសិក្សាដែលអ្នកខ្លួនបានរៀបចំមករបស់អ្នក
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3. What do you think is the most important issue that needs to be address today? អ្នកនិញ្ចោះថាតើអ្វីដែលគឺជាសំខាន់ៗបំផុតត្រូវបានប្រការនេះ?
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4. What is your current role? អ្នកនិងអ្នកស្គាល់ទូទៅបំផុតបើអំហារបច្ចេប្យបំផុតប្រការ៖
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Post-Workshop Evaluation

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

1. I felt that the workshop was well organized and the main points were well covered and clarified.

2. I felt that the facilitator demonstrated comprehensive knowledge of the subject matter.

3. I felt that the facilitator conveyed ideas effectively and clearly and the material was informative and easy to understand.

4. What was the most valuable aspect of the workshop?

………………………………………………………………………………………………………………………………………………………………………

SD  D  NS  A  SA

1  2  3  4  5
5. What did you learnt from today? 

6. What could have been done to improve the workshop?

7. Additional Comments or suggestions:
Annex 3: List of Participants

**Gender Sensitive Reparations Workshop**  
**Venue:** Himawari Hotel and Apartment/Function Room I and II  
**Monday November 04th, 2013/Time:** 8:00-3:00p.m

**Participant List**

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Org</th>
<th>Function</th>
<th>Telephone</th>
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<th>Signature</th>
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<td>7</td>
<td>Ms. Inala Fathimath</td>
<td>UN Women</td>
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<td>Ms. CHET Vanly</td>
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<td>Ms. TY Srinna</td>
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<td>14</td>
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**NGOs**

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<td>Mr. BUN Vunthy</td>
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<td>30</td>
<td>Ms. CHEA Phalla</td>
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<td>32</td>
<td>Ms. Noyelydra</td>
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**NGOs Partner**

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Gender and Reparations in Cambodia
Training Workshop, 4 November 2013
Caitlin Reiger

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

Session 1: Introduction
Goal: ensuring that reparations are sensitive to gender

Your expectations?
Develop strategies for applying these ideas in your work

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: International Practice

Reparations must go above and beyond the immediate reasons and consequences of the crimes and violations; they must aim to address the political and structural inequalities that negatively shape women’s and girl’s lives.

Nairobi Declaration on Women’s and Girl’s Right to a Remedy and Reaparation (2007)

Gender Sensitive reparations:

- must do no harm
- Must be provided without discrimination
- should take into account pre-existing gender relations and power imbalances
- ensure a fair assessment of the harm inflicted upon women and men.
- Ensure equal access to -and benefits from- reparation programmes for both women and men.

Gender, Reparations and Development (Kampala 2010)

- Lessons from experiences in Nepal, DRC, Uganda, Timor-Leste, Sierra Leone, Peru

Reparations need:
- State acknowledgement
- Civil society and victim group participation
- Process-oriented assistance

- Making reparations transformative:
  - Non-discriminatory
  - Victim-centered
  - Target both the causes and consequences
**Key principles:**

- Judicial and administrative reparations should be available to victims of conflict-related sexual violence to obtain prompt, adequate and effective remedies.
- Individual and collective reparations should complement and reinforce each other.
- Meaningful participation and consultation of victims in the mapping, design, implementation, monitoring and evaluation of reparations should be ensured.

**Opportunities for addressing gender inequalities in reparations programs**

1. **Prioritize the most vulnerable**
2. **Empower women and men through participation 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 discuss for 5-10 minutes.

- Person A is meeting with a KR victim to encourage them to participate in a reparations project (you can choose one you are familiar with). You know the person has suffered but you don’t know the details.

- Person B is the victim. Read the testimony sheet and imagine you have experienced something similar.

*How did you each feel? Did either of you have any difficulty? What might make the process easier/could you make it easier?*
Session 5: Small Groups

A. Remembrance/memorialization
B. Rehabilitation
C. Documentation/Education
D. Non-judicial measures and other initiatives

Questions:
1. Will your project benefit men and women equally? How will you know?
2. How might your project transform lives?
3. What challenges might there be?
4. Identify 3 steps to improve the gender sensitivity of the project

Report back and next steps
• Slide presentation from UN Women

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

Characteristics of sample

- Over 55% of respondents were between 20-34 years old
  - Sample older than national 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
Intimate partner violence against women is prevalent

Prevalence of intimate partner violence against women

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<th>Female ever victimized</th>
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<td>Emotional</td>
<td>54%</td>
<td>65%</td>
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<tr>
<td>Financial</td>
<td>53%</td>
<td>49%</td>
</tr>
<tr>
<td>Physical</td>
<td>16%</td>
<td>22%</td>
</tr>
<tr>
<td>Sexual</td>
<td>21%</td>
<td>10%</td>
</tr>
<tr>
<td>Physical &amp;/or Sexual IPV*</td>
<td>36%</td>
<td>26%</td>
</tr>
</tbody>
</table>

* Statistically significant difference between men and women

Rape, especially gang rape, is a critical issue

Men's perpetration of sexual violence against women

- Ever IPV rape (lifetime): 20.7%
- Ever any non-partner rape (lifetime): 8.3%
- Past year non-partner rape (current): 2.1%
- Ever gang rape: 5.2%

The main motivation for rape is sexual entitlement

Men's reported motivations for rape perpetration

- Sexual entitlement: 45%
- Bored/have fun: 45%
- Punishment/anger: 31%
- Drinking: 27%
- Other: 14%

Age when first raped woman/girl, among men who reported committing rape (n=210)

- Under 15 yrs: 31
- 15-19 yrs: 37
- 20-29 yrs: 16
- 30-39 yrs: 9
- 40+ yrs: 7

53% were 19 or under when first raped
Violence perpetration and gangs

- Prevalence of men's perpetration of non-partner rape and gang rape, by their participation in a gang:
  - Never been in gang: 4.3, 24.2, 20.1
  - Ever been in gang: 3.8

Men's childhood experiences of violence

- Men's experiences of abuse during childhood are common
- Men's experiences of abuse are significantly associated with perpetration
- Need to end VAC and nurture health family environments

Conceptualizing VAW in Cambodia

- The ways in which violence is conceptualized is crucial to effective policy, services and response, and prevention:
  - Intimate partner violence, DV
  - Gang rape
  - Violence in public spaces and workplace
  - State violence
  - Interstate violence, border conflict and trafficking

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!

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