



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
Chambres extraordinaires au sein des tribunaux cambodgiens

**ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ**

Kingdom of Cambodia
Nation Religion King

Royaume du Cambodge
Nation Religion Roi

អង្គភាពគាំពារជនរងគ្រោះ

**Victims Support Section
Section d'appui aux victimes**

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
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Acronym & Abbreviation

- ADHOC	The Cambodian Human Rights and Development Association
- AIJI	The Asian International Justice Initiative
- BTS	Banteaysrei
- CDP	Cambodian Defenders Project
- CHRAC	Cambodian Human Rights Action Committee
- CMS	Court Manager Section
- DC-Cam	The Documentation Center of Cambodia
- ECCC	Extraordinary Chambers in the Court of Cambodia
- ICFC	The International Center for Conciliation
- LAC	Legal Aid of Cambodia
- LICADO	Cambodian League For the Promotion Defense of Human Rights
- LCL	Lead Co-lawyer Section
- OI	Open Institution
- PAS	Public Affairs Section
- TPO	Transcultural Psychosocial Organization
- VSS	Victims Support Section
- YFP	Youth for Peace
- UN Women	United Nations Entity of Gender Equality and the Empowerment of Women

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 Violation 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?

Workplace	Position
ECCC	-Chief of PAS -Lead Co-Lawyer (National and International)
VSS	-Program Association -Administrative and finance Assistant -Outreach Coordinator -Civil party Lawyers -Legal Assistant
CDP	-Executive Director -Civil Party Lawyers/Advisor -Project Coordinator
LAC	-Civil Party Lawyer

	-Assistant Lawyer
ASF	-International CPL
	-Project Coordinator
CHRAAC	-Project Officer
	-Assistant
CPL	-Civil Party Lawyer
ADHOC	-KRT project Coordinator
	-Head of Women and Children rights section
YFP	-Fundraising and communication manager
	-Executive Director
LICADO	-Women's rights Supervisor
ICFC	-Program officer
	-Advisor
OI	-Women Program Manager
	-Program Assistant
DC-Cam	-Team Leader
	-Grant Manager
TPO	-Advisor
	-Mental Health Technical Assistant
	-Counselor/Trainer
Banteaysrei	-Shelter Coordinator
AIJI	-Representative
CMS	-Translator
	-Interpreter
Mid-term Evaluation	-Freelance Consultant

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 force sex and force 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 participant 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.

<p>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.</p>	<p>Person B is the victim. Read the testimony sheet and imagine you have experienced something similar.</p>
<p><i>How did you each feel? Did either of you have any difficulty? What might make the process easier could you make it easier?</i></p>	
<ol style="list-style-type: none"> 1) It really difficult to interview with the Civil Party so we need to have self-motivate victims to speak out 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. 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. 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. 5) I am Civil party lawyer: I am lawyer I 	<ol style="list-style-type: none"> 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. 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? <p>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.</p>

<p>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.</p>	<p>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.</p> <p>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.</p>
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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 (safe 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:

1=Strongly Disagree (SD); 2 = Disagree (D); 3 = Not Sure (NS); 4 = Agree (A); 5 = Strongly Agree(SA)	Question N° 1 Rates the following items	Question N° 2 Well organized and covered main point	Question N° 3 facilitator conveyed ideas effectively and clearly	Question N° 4 The most valuable aspect of the workshop	Question N° 5 What you learnt	Question N° 6 What to improve in workshop	Question N° 7 Any comments
1 SD				<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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
2 D							
3 NS	1=4%	2=9%	2=10%				
4 A	22=92%	18=75%	16=66%				
5 SA	1=4%	4=16%	3=13%				

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 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

Time	Activities
8:00 – 8:30 a.m	Registration
8:30a.m-8:40 a.m	Welcome Remarks Mr. Sok Sam Oeun, Executive Director of CDP
8:40a.m-9:15 a.m	1. Introduction <i>Purpose of the workshop, goals, expectations.</i> 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. <i>Handout: UN Women report of Kampala workshop on Gender, Reparations and Development.</i>
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
10.30-11.00noon	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.
11.00-12.00noon	5. Small group breakout for each proposed category of reparations (Remembrance/memorialization; Rehabilitation;

	Documentation/Education). ¹ Questions for each group: <ul style="list-style-type: none"> • 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?
12:00-1:30p.m	<i>Lunch</i>
1.30-2.30p.m	Report back Each group will summarize their discussion and present a strategy for improving the gender-sensitivity of each project.
2.30- 3.00p.m	<i>Recommendations and wrap up</i>
3:00p.m	Closing by VSS/ECCC officer

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 started, would you please spend a few minutes answering the following questions? សូមស្វាគមន៍ និងសូមអរគុណចំពោះការចូលរួមក្នុងសិក្ខាសាលាថ្ងៃនេះ ហើយវាពិតជាមានសារៈសំខាន់ណាស់ក្នុងការវាយតម្លៃនៃកម្មវិធីនេះ។ មុនចាប់ផ្តើមនូវកម្មវិធី សូមអ្នកចូលរួមទាំងអស់ចំណាយពេលវេលា២ទៅ៣នាទីដើម្បីឆ្លើយនូវសំណួរដូចខាងក្រោម:

1. Did you attend last year Training workshop? តើអ្នកបានចូលរួមសិក្ខាសាលានេះ កាលពីឆ្នាំមុនទេ?

☐ Yesបាទ/ចាស

☐ No មិនបាន

2. What are you expecting from the Training workshop? តើអ្នករំពឹងចង់បានអ្វីពីការចូលរួមសិក្ខាសាលាថ្ងៃនេះ?

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3. What do you think is the most important issue that needs to be address today? តើអ្នកគិតថា អ្វីជាបញ្ហាសំខាន់ ដែលត្រូវលើកឡើងនៅក្នុងសិក្ខាសាលាថ្ងៃនេះ?

.....

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.....

4. What is your current role? តើបច្ចុប្បន្នអ្នកមានតួនាទីជាអ្វី?

.....

.....

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).

សូមធ្វើការវាយតម្លៃនូវចំណុចដូចខាងក្រោមដោយដាក់ចំណាត់ថ្នាក់ ពីលេខ១ដល់លេខ៥ដោយ
គូសដាវរង្វង់លើចំណាត់ថ្នាក់ដែលសមស្រប៖

១. ពិតជាមិនយល់ព្រម ២. មិនយល់ព្រម ៣. មិនច្បាស់ ៤. យល់ព្រម ៥. ពិតជាយល់ព្រម

SD D NS A SA

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

ខ្ញុំគិតថាសិក្ខាសាលាត្រូវបានរៀបចំឡើងបានយ៉ាងល្អ ហើយ

1 2 3 4 5

ចំណុចសំខាន់ៗត្រូវបានលើកឡើងបានយ៉ាងល្អ និងបញ្ជាក់យ៉ាង
ច្បាស់លាស់

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

ខ្ញុំគិតថាអ្នកសម្របសម្រួលបានចែករំលែកចំណេះដឹង

1 2 3 4 5

យ៉ាងក្បោះក្បាយ ពីមេរៀនដែលពាក់ព័ន្ធ

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

ខ្ញុំគិតថាអ្នកសម្របសម្រួលបានផ្តល់នូវគំនិតជាច្រើនពោរពេញ

1 2 3 4 5

ដោយអត្ថន័យ និងច្បាស់លាស់ ហើយឯកសារពិតជាមានខ្លឹមសារ
និងងាយស្រួលយល់

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

តើអ្វីជាទស្សនៈដែលមានតម្លៃបំផុតនៃសិក្ខាសាលាក្នុងថ្ងៃនេះ?

.....

.....

.....

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 ឬសំណូមពរ

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

No.	Name	Org	Function	Telephone	Email address	Signature
Consultant/VSS/ECCC						
1	Ms. Caitlin Reiger		Expert Consultant	095 779 216	caitlinreiger@yahoo.com	
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CDP/UN Women						
6	Mr. SOK Sam Oeun	CDP	Executive Director	012 901 199	samoeunsok@googlemail.com	
7	Ms. Inala Fathimath	UN Women				
Lead Co-Lawyer						
8	Mr. PICH Ang	LCL	National Lead Co-Lawyer	012 739 773	Pich.ang@eccc.gov.kh	
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Civil Party Lawyer						
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16	Mr. HONG Kimsuon		Civil Party Lawyer		kimsuon.hong50@gmail.com	
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NGOs						
21	Ms. LACH Sreytouch	CHRA			touch_jerry@yahoo.com	
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23	Mr. LONG Khet	YFP	Executive Director	011 834 771		
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				775 ; 097 895 2173	sochivanny.hoy@gmail.com	
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NGOs Partner						
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39	Ms. CHOR Sonary	TPO	Counselor/trainer	017 277 725	sonary@tpocambodia.org	
Translator						
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41	Mr. SENG Phally	CMS	Interpreter		sengp@un.org	
42	Mr. SUNG Vinntik	CMS	Interpreter		SUNG.Vinntik@eccc.gov.kh	
Other						
43	Mr. Julian Poluda		Mid-term Consultant	089-669 550	julianpoluda@gmx.de	
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45	Mr. SNGUON Sothearith	LCL	Legal Assistant	017 740 290	Snguon.sothearith	

- Annex 4: Slide presentation from Expert Consultant

Gender and Reparations in Cambodia

Training Workshop, 4 November 2013

Caitlin Reiger



Session I: Introduction

Goal: ensuring that reparations are sensitive to gender

Your expectations?

Develop strategies for applying these ideas in your work

2

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

3

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

4

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)

5

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,

8

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 Reparation (2007)

6

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**

7

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**

9

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*

10

Questions and discussion?

11

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?

13




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*

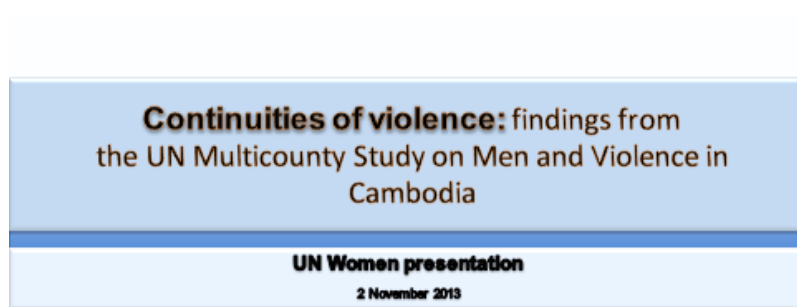
14



Report back and next steps

15

- Slide presentation from UN Women



United Nations Entity for Gender Equality and the Empowerment of Women

Contact: inala.fathimath@unwomen.org

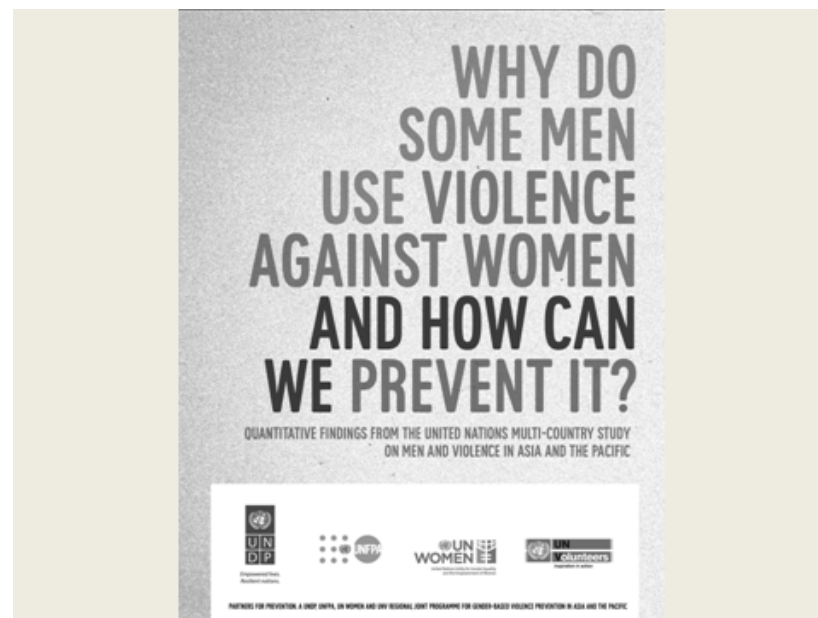
Training and data collection

- 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

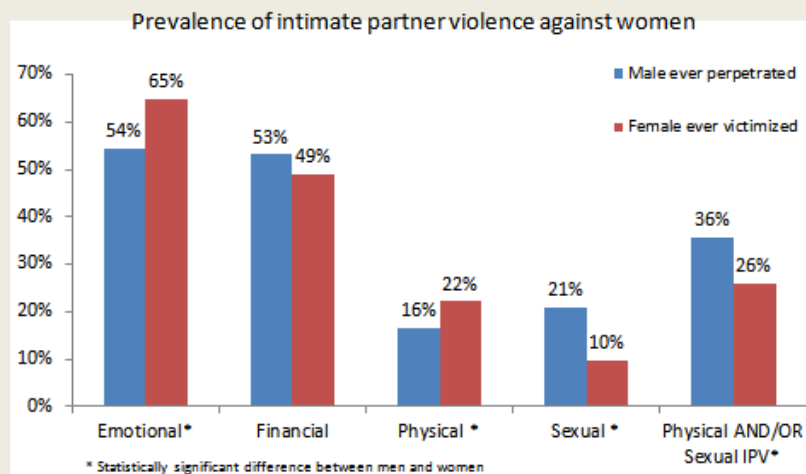


Characteristics of sample

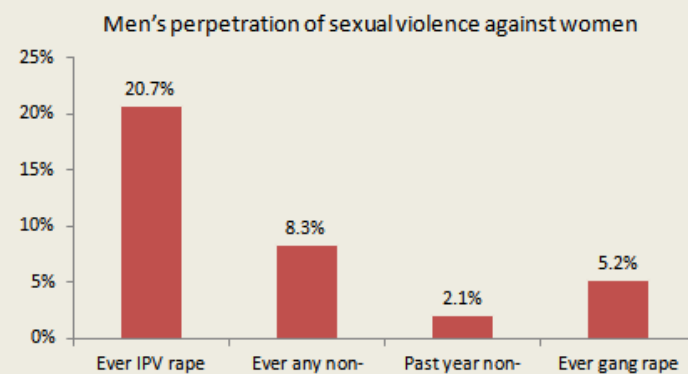
- Over **55%** of respondents were between **20-34 years** old
 - Sample **older than national** average with twice as many 30-34 & 45-49
- Education: overall men higher education
 - Sample more educated than national average, with more than twice as many with some secondary or more
 - 9% men and 24%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

4

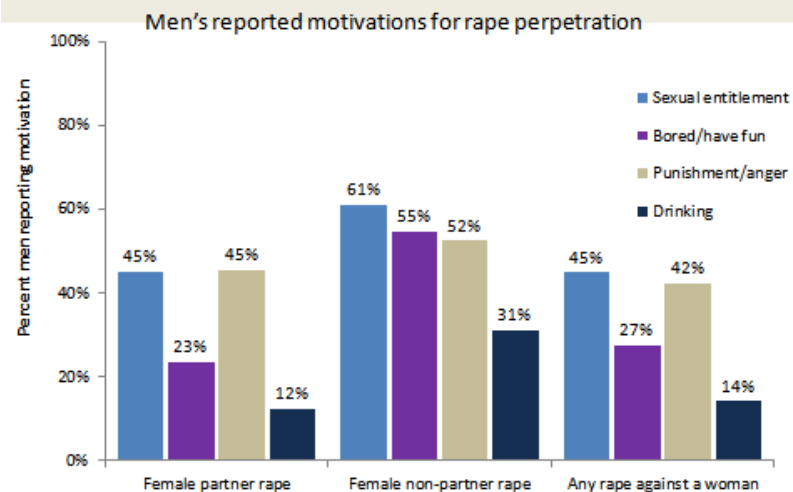
Intimate partner violence against women is prevalent



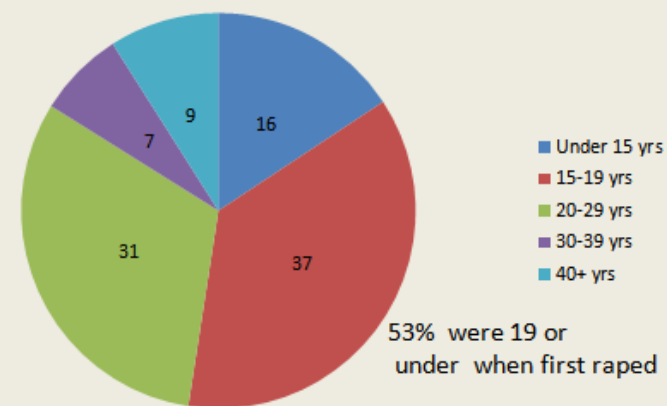
Rape, especially gang rape, is a critical issue



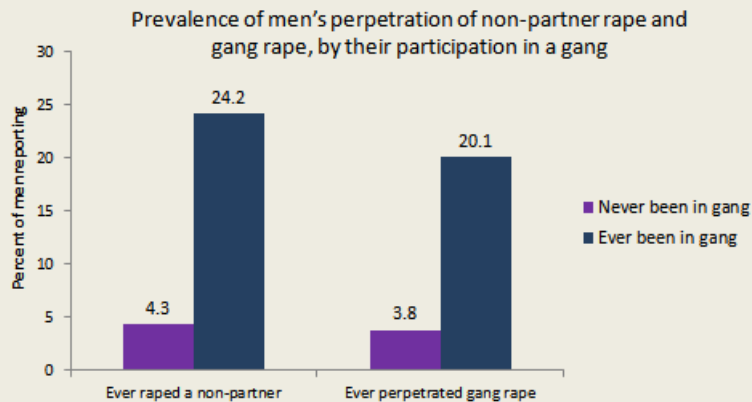
The main motivation for rape is sexual entitlement



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

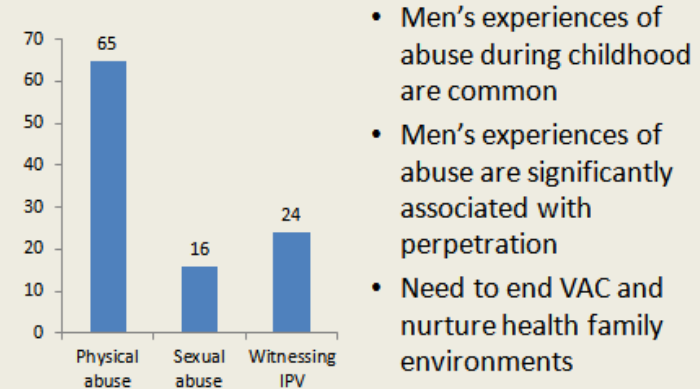


Violence perpetration and gangs



9

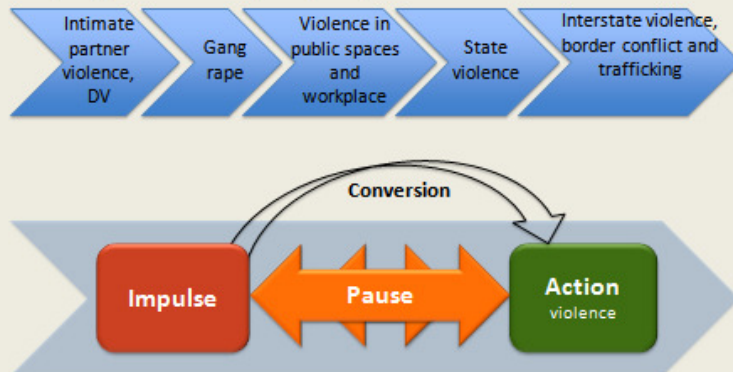
Men's childhood experiences of violence



10

Conceptualizing VAW in Cambodia

- The ways in which violence is conceptualized is crucial to effective policy, services and response, and prevention



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

