

WAYS TO STRENGTHEN IMPLEMENTATION OF SEXUAL VIOLENCE LAWS IN AFRICA

Sexual violence is any form of sexual assault or unwanted sexual contact. This can include rape, sexual assault, sexual harassment, and other forms of sexual misconduct (World Health Organization, 2012). It can happen to anyone, regardless of age, gender, or sexual orientation, and has serious implications on a person's mental and physical health. Sexual violence is a serious issue in many parts of Africa. It is often associated with conflict and war but can also occur in everyday situations. Women and girls are particularly vulnerable to sexual violence, but men and boys can also be survivors. Recent research carried out in the African continent portrays evidence of the occurrence of sexual violence in African countries, especially as a weapon of war to terrorize and intimidate communities. For example, research conducted in Uganda by Woldetsadik et al. published in the journal of conflict and health on participants abducted between 1986 and 2017 by the rebel group Lord Resistance Army confirmed that all 30 participants had experienced sexual violence (Woldetsadik et al., 2022). Additionally, in 2022 research it was discovered that sexual violence in men has occurred in Congo, Somalia, and Sudan (Chynoweth et al., 2022). In South Sudan, 46% of men reported being sexually abused and in the Democratic Republic of Congo, 23.6% of men reported having experienced sexual violence during the armed conflict (Hossain et al., 2014). Survivors of sexual violence may experience a range of physical, emotional, and psychological effects. These can include injuries, sexually transmitted infections, unwanted pregnancies, and mental health issues such as depression, anxiety, and post-traumatic stress disorder. Survivors may also face social stigma and isolation, as well as difficulty accessing medical care, justice, and support services. It is important for survivors of sexual violence to receive appropriate medical care, counseling, justice and support to help them heal and recover from the trauma they have experienced. Achieving justice for survivors of sexual violence in Africa can be challenging due to a number of factors. For example, many survivors may face barriers to reporting sexual violence, such as fear of reprisals, social stigma, and lack of access to justice systems. In addition, many justice systems in Africa may be ill-equipped to handle sexual violence cases and may lack the necessary resources, training, and support to provide fair and effective justice for survivors. This paper seeks to argue that justice for survivors of sexual abuse can only be achieved if African governments and the International Community prioritise the needs and rights of sexual violence survivors. It further suggests that this can be done through;

- Implementing laws that criminalize sexual violence and provide appropriate penalties for perpetrators.
- Providing training for law enforcement and justice sector officials on how to handle sexual violence cases and ensuring that they have the necessary resources and support to do so effectively.
- Establishing specialized units or centres that can provide medical care, counseling, and support services for survivors of sexual violence and follow through justice for survivors.
- Developing and implementing awareness-raising campaigns to educate the public about sexual violence and promote zero tolerance for such crimes.
- Supporting survivors throughout the legal process, including by providing legal assistance and representation, and ensuring that their rights are protected.
- Support from International actors.

Implementing laws that criminalize sexual violence and provide appropriate penalties for perpetrators

The first step to achieving justice for sexual violence survivors is the enactment and passing of clear, broad laws and their penalties. Implementing laws to prevent and punish sexual violence is an important step in creating safer communities and promoting justice. There are a few key elements that should be included in laws addressing sexual violence;

First, the law should clearly define what constitutes sexual violence, including both physical acts and non-physical forms of coercion or manipulation. This definition should be broad enough to cover a range of behaviours, but specific enough to provide guidance for law enforcement and the courts.

Second, the law should establish strict penalties for sexual violence, including jail time and fines. These penalties should be severe enough to deter potential perpetrators and send a message that sexual violence will not be tolerated.

Third, the law should provide for support and services for victims of sexual violence, including access to medical care, counseling, and legal assistance. This can help victims to recover from the trauma of the experience and seek justice.

Fourth, the law should include provisions for education and prevention, such as training for law enforcement and programs to raise awareness about sexual violence. This can help to reduce the incidence of sexual violence and promote a culture of consent and respect.

Most African countries have adopted new legislation and laws to protect women and girls from violence (Medie, 2019). African Countries like Ghana, and Sierra Leone have also broadened their definition of violence to include all forms of violence including intimate partner rape, female genital mutilation, and child marriage (Medie, 2019). However, 21 countries in Africa have yet to criminalise intimate partner violence even though 58 per cent of women are killed in intimate partner violence (World Health Organization, 2018). Overall, implementing effective laws to address sexual violence is an important step in creating safer communities and promoting justice. These laws should be clear, comprehensive, and provide support and services to victims and create specialised units to hold justice units accountable.

Training of law enforcement officers and justice officials on how to handle sexual violence

Training for law enforcement officials and the judiciary on how to handle sexual violence cases is crucial in Africa for survivors in attaining justice. Trainings can help ensure that survivors of sexual violence receive the support and justice they deserve. It can also help to reduce the prevalence of sexual violence by increasing the likelihood that perpetrators will be held accountable for their actions.

There are several key components that should be included in training for law enforcement officials and the judiciary on sexual violence cases. These include:

- Providing information on the legal framework and laws related to sexual violence, including the definition of sexual violence and the various forms of sexual violence (e.g., rape, sexual assault, harassment)
- Teaching investigative techniques and evidence-gathering methods specifically tailored to sexual violence cases
- Offering guidance on how to support and interview survivors of sexual violence in a sensitive and respectful manner

- Providing information on the available resources and support services for survivors of sexual violence, including medical and mental health support
- Educating law enforcement officials and the judiciary on the importance of treating survivors with dignity and respect, and the need to avoid victim-blaming or stigmatising survivors

In addition to these specific training components, it is also important for law enforcement officials and the judiciary to receive ongoing training and support to help them effectively handle sexual violence cases. This can include regular training sessions and workshops, as well as access to specialised resources and support from experts in the field. By investing in training for law enforcement officials and the judiciary, we can help to create a more responsive and effective justice system for survivors of sexual violence in Africa and around the world.

Specialized units and centres offering survival support

There is a need for the provision of specialized units or agencies that provide sexual violence survivor support, including medical and educational support and legal assistance. These organizations typically offer a range of services designed to help survivors of sexual violence heal and move forward with their lives.

Some examples of specialized units or agencies that provide sexual violence survivor support include:

- Rape crisis centres: These organizations provide crisis intervention and support services to survivors of sexual violence, including medical and legal advocacy, counseling, and support groups.
- Sexual assault resource centres: These organizations offer support and services to survivors of sexual violence, including medical care, legal assistance, and counseling.
- Domestic violence shelters: These shelters provide safe, supportive housing for survivors of domestic violence, including sexual violence. Many shelters also offer additional services, such as counselling and legal assistance.
- Sexual assault response teams: These teams are made up of trained professionals who respond to incidents of sexual violence and provide support and services to survivors.
- Legal aid organizations: These organizations provide legal assistance to survivors of sexual violence, including help with restraining orders, custody issues, and other legal matters.

Legal support can help survivors to navigate the often complex and confusing legal process and can ensure that their rights are protected.

There are several keyways in which legal support and assistance can be provided to survivors of sexual abuse:

- Providing information and guidance on the legal process and the survivor's rights, including information on the different types of legal remedies available (e.g., restraining orders, criminal charges, civil lawsuits)
- Offering legal representation and advocacy, including help with filling out forms, preparing for court appearances, and representing the survivor in court
- Providing access to legal resources and support services, such as legal clinics, hotlines, and support groups
- Educating survivors on their rights and the legal process, and empowering them to make informed decisions about their case
- Offering ongoing support and guidance throughout the legal process, and providing emotional support and counselling as needed

By providing legal support and assistance to survivors of sexual abuse, we can help to ensure that survivors receive the justice they deserve and are able to move forward with their lives. This can help to reduce the prevalence of sexual abuse and create a safer and more just society for all.

These specialised units and agencies are often funded by government grants and private donations, and they may be affiliated with local law enforcement agencies, hospitals, or other organisations. These units or centres should be staffed by trained professionals who are experienced in dealing with the physical and psychological effects of sexual violence, and who can provide medical care, counseling, and other support services. In addition to providing direct support to survivors, these units or centres can also serve as a resource for law enforcement and justice sector officials, providing them with the necessary expertise and support to effectively investigate and prosecute sexual violence cases. It is also important to ensure that these units or centres are easily accessible to survivors and that they are able to provide services in a safe and confidential manner. By providing support and services to survivors of sexual violence, these organizations can help to empower survivors to attain the justice needed.

Educating the public on zero tolerance for sexual violence

Developing and implementing awareness-raising campaigns to educate the public about sexual violence and promote zero tolerance for such crimes in Africa is particularly important, given the high rates of sexual violence in the region. These campaigns should be tailored to the unique cultural and social context of Africa to meet the needs of the grassroots and should involve a diverse range of stakeholders, including survivors, advocacy organisations, law enforcement, and other relevant parties. It is also important to use a variety of mediums, such as social media, print and online advertisements, and public events, to reach a wide audience and to tailor the message to different audiences. Additionally, it is important to ensure that these campaigns are well-funded and supported and that they are part of a larger, comprehensive strategy to address sexual violence in Africa.

The awareness of zero tolerance to sexual violence can be done through the use or working with community leaders, chiefs, religious leaders and women leaders to promote respect for human rights. Working with community leaders and organizations to promote a culture of respect for women's rights and to combat the social stigma that can prevent survivors from seeking help is an important step in addressing sexual violence. Community leaders and organizations can play a crucial role in educating the public about sexual violence, advocating for the rights of survivors, and providing support and resources to those who have experienced sexual violence. By engaging with these leaders and organisations, it is possible to foster a culture of respect for women's rights and to create a supportive environment in which survivors feel safe and empowered to seek help. It is also important to provide training and resources to these leaders and organizations to ensure that they are equipped to effectively address sexual violence in their communities.

Advocacy can help in the increase of reporting of sexual violence. Rates of sexual violence are underreported in African countries due to stigmatization, corruption, and lack of justice (Rape, Abuse & Incest National Network, 2021). There are several steps that can be taken to ensure that rape cases are reported in Africa and other regions of the world. These steps can help to create a culture in which survivors feel empowered to come forward and report their experiences and can help to ensure that perpetrators are held accountable for their actions.

Some steps that can be taken to encourage the reporting of rape cases include:

- Providing information on the importance of reporting rape, and the ways in which reporting can help to ensure that perpetrators are held accountable and that survivors receive the support and justice they deserve

- Educating the public on the definition of rape and the various forms it can take, such as rape, sexual assault, and harassment
- Raising awareness of the prevalence of rape, and the impact it has on survivors and society as a whole
- Creating a safe and supportive environment in which survivors feel comfortable coming forward and reporting their experiences
- Offering access to support and resources for survivors, including medical and mental health care, legal assistance, and support groups
- Providing training for law enforcement officials and the judiciary on how to handle rape cases in a sensitive and effective manner

By taking these steps, we can help to create a culture in which survivors feel empowered to come forward and report rape, and in which perpetrators are held accountable for their actions. This can help to reduce the prevalence of rape and create a safer and more just society for all.

Support from the International community

Support from international actors like the International Criminal Court (ICC) and International non-profit organizations can help to protect sexual abuse survivors in Africa and attain justice for them. The ICC has the authority to prosecute individuals for crimes against humanity, including sexual violence, and can help to hold perpetrators accountable for their actions. International non-profit organizations, such as human rights groups and advocacy organizations, can also provide support and resources for survivors and can help to raise awareness of the issue of sexual violence and push for greater accountability.

There are several specific ways in which support from international actors can help to protect sexual abuse survivors in Africa and attain justice:

- The ICC can investigate and prosecute cases of sexual violence and can help to ensure that perpetrators are held accountable for their actions. This can help to send a strong message that sexual violence will not be tolerated and can help to deter future incidents.
- International non-profit organisations can provide support and resources for survivors, including medical and mental health care, legal assistance, and support groups. This can help to ensure that survivors receive the help they need to heal and move forward with their lives.
- International organizations can also raise awareness of the issue of sexual violence in Africa and can advocate for greater accountability and action to address the issue. This can help to create a greater sense of urgency and commitment to addressing sexual violence and can help to mobilize resources and support for survivors.
- International organizations can also provide training and support for local law enforcement officials and the judiciary, helping to ensure that they are equipped to handle sexual violence cases in a sensitive and effective manner. This can help to improve the response to sexual violence and increase the likelihood that survivors will receive justice.

Overall, support from international actors like the ICC and international non-profit organizations can play a crucial role in protecting sexual abuse survivors in Africa and helping to attain justice for them. By providing resources and support, raising awareness, and advocating for greater accountability, Finally, international actors can use their influence and leverage to pressure governments to take action to address sexual violence and hold perpetrators accountable for their crimes.

In conclusion, there are several keyways in which the implementation of sexual violence laws in Africa can be strengthened. These include providing training and support for law enforcement officials and the judiciary, educating the public on the importance of zero tolerance for sexual violence, providing legal support and assistance for survivors, and seeking support from international actors like the International Criminal Court and international non-profit organizations. By taking these steps, we can help to create a more responsive and effective justice system for survivors of sexual violence in Africa and can work towards reducing the prevalence of sexual violence and creating a safer and more just society for all.

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