




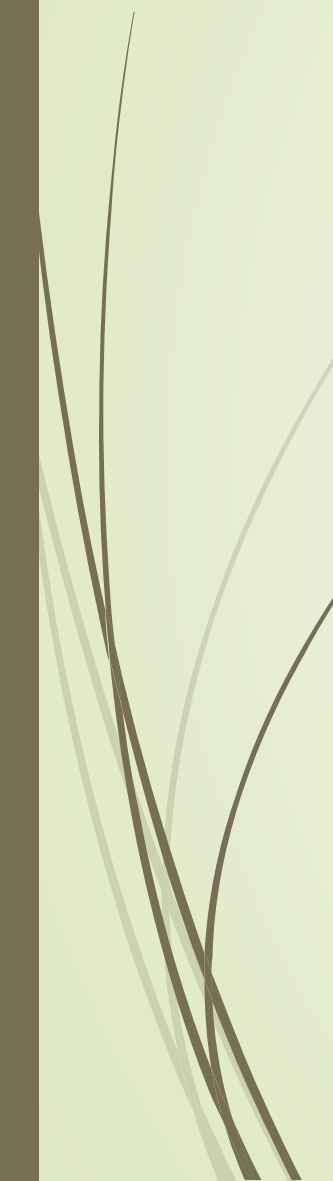
PREVENTION AND AWARENESS INITIATIVES ON GENDER-BASED VIOLENCE AND SEXUAL HARASSMENT

BY

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Some Opening Thoughts

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- ▶ Women and Girls around the world face GBV and SH in their communities, in their own homes, and in their work places, and in public life
 - ▶ Men and boys also suffer GBV and SH, but this is more pronounced for women and girls.
 - ▶ Women and girls are often excluded, marginalized, distinguished and restricted in the exercise of their rights and access to justice on the basis of their gender.
 - ▶ Other factors compound this, e.g. race, social origin, sex, religion, political or other opinion, age, disability, health status, migration status, sexual orientation or gender identity.
 - ▶ The burden is even greater for those women and girls who experience multiple forms of discrimination.
 - ▶ Non-discrimination, equality before the law and right to access justice and effective remedies constitute fundamental human rights and are essential elements of human dignity and women's rights.
 - ▶ What role and value addition do Ombudsman Institutions play to ensure a life of dignity, non-discrimination (including protection from GBV and SH) and access to justice and effective remedies for women and girls.

Consider this

- Women and Girls are not safe from GBV and SH
 - In the Home
 - On the Street
 - At school
 - At Church
 - In work places
 - At the market
 - At the Hospital
 - In the community
 - In politics
- This is a manifestation of lack of effective, efficient, and responsive GBV prevention and response mechanisms at various levels – maladministration – Role of Ombudsman Institutions




OUTLINE

- Introduction and Background
- GBV and SH Definitions
- GBV and SH Quick Facts
- Causes of GBV and SH
- Cultural Causes
- Institutional Causes
- Effects of GBV and SH
- Strategies to end GBV and SH
- Conclusion

INTRODUCTION AND BACKGROUND

- The Ombudsman is an independent public official who receives complaints against government agencies and officials from aggrieved persons and investigates the complaints, and who, if the complaints are justified makes directives/recommendations to remedy them.
- The role of Ombudsman institutions is to protect persons from injustices occasioned by violations of human rights, abuse of power, failure to exercise, responsibilities, and functions appropriately and competently, unfair decisions and omissions, delays and other maladministration acts, (IOI).
- The Complaints that the Ombudsman receives may pertain to issues of Gender-Based Violence, and Sexual Harassment, especially in work places and other institutions such as hospitals, schools, etc.
- For example the Malawi Office of the Ombudsman recently handled a case of sexual harassment of a patient by a medical personnel when the lady in question had gone to seek medical attention (maternal health services). Through the intervention of the Hospital Ombudsman mechanism, the Police expeditiously investigated and prosecuted the matter.

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- Injustices occasioned by maladministration have dire effects on vulnerable groups including women, girls, children, old people, voiceless, persons with disabilities, powerless and poor.
 - In fact, they are the majority of victims/survivors of maladministration due to their positions and marginalisation and exclusion in societies.
 - Gender and sex are key factors which worsen injustices, and Gender Based Violence and Harassment are sex/gender generated injustices
 - Women and girls are majority of victims of Gender Based Violence and Sexual Harassment.
 - Injustices which have potential of oppressing and excluding half of the whole population cannot ignored in equitable and real social and economic development.

GENDER BASED VIOLENCE AND SEXUAL HARASSMENT

- Gender-based violence (GBV) is violence directed against a person because of their gender. (European Institute of Gender Equality).
- Sexual harassment (SH) “is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment.” UN WOMEN

GBV and SH Quick Facts

- Gender Based Violence (GBV) and Sexual Harassment are serious violations of human rights and a life-threatening health and protection issue (the UNHCR).
- GBV and SH can happen between opposite sex or within same sex.
- Both males and females can either be victims or offenders of GBV and SH.
- GBV and SH disproportionately affects women and girls, and women and girls especially at more risk, UNHCR. For this reasons GBV and SH are generally referred to violence against women and girls in some cases. **This is not an exaggeration!**
- It is estimated that one in three women will experience sexual or physical violence in their lifetime, The World Bank and UNFPA.
- GBV and SH do take place both in public and private spaces.

Causes of GBV AND SH

- The causes can generally be categorized into two namely cultural and institutional.
- Cultural consists of social norms, beliefs and traditions which establish, maintain and sustain violence against women (GBV and SH) including those that fight any attempts to change the norms, beliefs and traditions.
- Institutional mainly refers to how policies, structure and actors established to promote and safeguard justice to all people are developed, used and conduct their business.
- Dealing with the cultural and institutional issues could as well help address GBV and SH.
- This is where the Ombudsman Institutions should play a critical role in the prevention and awareness initiatives on GBV and SH. (as explained in the ensuing slides).



Causes of GBV AND SH

- There are also a number of social, economic, political or environmental factors that can affect or exacerbate vulnerability to GBV and SH
 - Social factors may include, but are not limited to, poverty, precarious employment and unemployment.
 - Economic factors may include, but are not limited to, the increased globalization of economic activities, repercussions of austerity policies, the extractive and offshoring industry and the implementation of multinational companies.
 - Political factors may include, but are not limited to, militarization, foreign occupation, violent extremism and terrorism.
 - Environmental factors may include, but are not limited to, pollution and climate change.

Cultural Causes

- ➔ Acceptance of GBV and SH as a normal thing (normalization)
- ➔ Demonizing women and girls who resist, report and act against any instances of GBV and SH, thus, suppressing women own agency
- ➔ Labelling men and boys who are involved in the fight against GBV and SH as weaklings and sold-out, not man enough
- ➔ entrenchment of GBV and SH in social norms
- ➔ Double standards, being against GBV and SH on face and doing the opposite undercover

Institutional Causes

- Inadequate legal and policy framework
- Lack of actions by those entrusted to address GBV and SH
- Inappropriate actions by duty bearers due to capacity
- Compromised actions by duty bearers due to personal preferences
- Disjointed efforts by stakeholders
- Lack of accountability, failure to hold accountable those who fail to act appropriate
- Poverty

Effects of GBV and SH

- Inequality and poverty through loss of opportunities, unequal pay and loss of livelihood
- Stress disorder and depression and other psychological effects
- Partial or permanent disability
- Death

Strategies for Prevention of GBV and SH

■ Outward looking

- Ombudsman Institutions have the mandate to conduct systemic Investigations on own motion. Such Investigations need to purposefully focus on the capacities, effectiveness and responsiveness of institutions that are mandated to provide prevention and response services to GBV and interrogate and make recommendations/directives on:
- Strengthen institutional framework and GBV and SH safeguards mechanisms
 - Review/enactment of laws and policies related to GBV and SH e.g. promulgating sexual harassment in the work place policies, school safeguarding policies, mainstreaming GBV and SH issues in Service Charters
 - the accessibility, the affordability and the acceptability of health care services, sexual/reproductive health and emergency medical help for women victims/survivors of gender-based violence, e.g. Malawi Ombudsman Report on “Woes of the Womb”
 - access to justice for women victims/survivors of gender-based violence, combating impunity and providing reparations relating to gender-based violence?
 - Incorporating GBV and SH within core functions i.e. explicitly putting GBV and SH issues in the organizational document such Strategic Plan (Malawi Ombudsman 2022 to 2027 Strategic Plan has Gender and Social Inclusion as a Strategic Goal/Value).
 - Clear and elaborative strategies within Institutions on GBV and SH Prevention
 - Tracking and monitoring effectiveness of the interventions

An Example of inclusion of GBV and SH in core functions, 2022-2027 Strategic Plan for the Office of the Ombudsman

6 | LOCAL NEWS

Ombudsman champions gender, social inclusion

By Rebecca Chimjeka

The Office of the Ombudsman says it has put in place measures aimed at increasing the uptake of its services by women and other vulnerable groups in the country.

Ombudsman Grace Malera said on Monday following the release of her office's 2022 Annual Report, which indicates that fewer women lodge complaints with her office on issues of administrative justice and related cases as compared to their male counterparts.

The report, which was presented to Parliament during the first week of July 2023, shows that, during the year under review, 14 percent of cases registered were from women while 67 percent of the registered



MALERA—The office has put in place strategies—File photo

“The office has since put in place strategies to ensure that there is a significant increase in the uptake of the office's services by women and other vulnerable categories. Having learnt from the 2016-21

Office of the Ombudsman is taking urgent measures to address the problem, firstly by ensuring that women and the vulnerable groups understand the roles of the office.

“We want to, through the 2022-27 Strategic

one of the key values of our new strategic plan is gender and social inclusion,” she said.

Malera cited the mainstreaming of gender and social exclusion as some of the strategies they want to see bearing fruit.

The Ombudsman further disclosed that her office has prioritised social and legal research to establish the root causes for the *status quo*, whose results, she said, would be key in informing future and sustainable interventions.

Meanwhile, Vice Chairperson for the Parliamentary Caucus Racheal Mazombwe Zulu has hailed the Ombudsman for prioritising initiatives aimed at increasing the uptake of services among women.

Zulu has also called

Strategies for Prevention of GBV and SH

- Outward Looking
- Investing in women and girls
- Promoting women's empowerment through Education, and economic activities
- Getting men and boys involved
- Believe and support GBV survivors
- Male Involvement in interventions for addressing GBV and SH
- Designing and implementing gender transformative awareness raising programmes
- Implementing interventions to address economic, political and social gender inequality

Strategies for Prevention of GBV and SH

- In ward Looking – Providing Grievance Handling Mechanism
- Effective handling and remedying of reported and observed instances of GBV and SH-core business of the Ombudsman
- Appropriate communication of remedial actions to all parties and other interest groups, and follow up to ensure compliance
- Holding GBV and SH offenders and those who fail to act on reported and observed GBV and SH accountable
- Mainstreaming GBV and SH issues in Systemic Investigations, e.g. Malawi Ombudsman Systemic Investigations on the Affordable Farm Input Programme (AIP) where allegations of GBV and SH are being specifically looked into.
- Training staff to work with victims/survivors of GBV, Discrimination and SH, and recommending remedies for victims/survivors
- Set up Gender-sensitive Complaints Handling mechanisms such as flexible opening hours, confidential arrangements for reporting or targeted outreach, including to isolated communities or vulnerable groups, such as refugees, migrant workers and persons with disabilities
- Promulgating Anti-Sexual Harassment in the Work Place Policies (Staff to read, sign and follow)
- Set up specific departments/units or desk officers

Strategies for Prevention of GBV and SH

- **The Role of Civic Education/Public Awareness raising – Inherent mandate of Ombudsman Institutions**
 - Mainstreaming issues of GBV and SH in Civic Education manuals and other IEC Materials
 - Intensify use of Community-based structures (Community Radios, District Council Structures, schools)
 - Promotional activities, including public education and awareness-raising, research and capacity building, are at the core of the mandates of Ombudsman Institutions. They
 - Ombudsman Institutions should consider how messages on women's rights, GBV and SH can be mainstreamed into all promotional activities and should also develop targeted campaigns relevant to Women and Girls Rights issues
 - In addition to maladministration in relation to GBV and SH, promotional activities should also promote awareness of redress mechanisms available to victims/survivors of GBV and SH
 - Collaborate with Civil Society and other government partners in these initiatives

Evaluation & Impact Assessment

- Number of cases women report during and after the clinics, rallies and sensitization meetings
- Number of GBV/GBV-related cases recorded
- Level of understanding among participants
- Noticeable Gender insensitive administrative practices
- Increased trends of cases reported to the office after radio and TV programs
- Increased traffic of complaints coming through online, engagements and followership
- More referral cases, heightened publicity

CONCLUSION

- Ombudsman Institutions have a unique entry point as monitors of state administration, as catalysts of redress for citizens who have had their rights violated, through state inaction, inefficiency or indifference and non-responsiveness.
- It is incumbent on all Ombudsman to work with all relevant stakeholders to discern and address patterns of injustice that are based on inefficient and unfair administrative practices in relation to issues of GBV and SH.
- In the wake of high prevalence of GBV with continuing deficits in administration of justice, offices of the Ombudsman must attain capacity to respond effectively.
- Ombudsman should leverage their constitutional access to Parliament as well as to decision-makers to bring to their attention the barriers that survivors of GBV face for instance to access justice.



Thank You

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