

Integrated Revised

SGBV, HP & SRHR Manual

Training Manual *for*

*Armed Forces of Liberia
Bureau of Corrections and Rehabilitation
Judicial Training Institute
Liberia National Police
Liberia Drugs Enforcement Agency
Liberia Immigration Service
Liberia National Fire Service*

2023

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Acronyms

ACRWC	African Charter on the Rights and Welfare of the Child
AG	Attorney General
CEDAW	Convention on Elimination of Discrimination Against Women
CPC	Criminal Procedure Code
CSOs	Civil Society Organizations
DV	Domestic Violence
FGM/C	Female Genital Mutilation/Circumcision
GBV	Gender-Based Violence
GoL	Government of Liberia
IGP	Inspector General of Police
IPV	Intimate Partner Violence
JCT	Justice for Children
LNP	Liberia National Police
LNFS	Liberia National Fire Service
MOH	Ministry of Health
MOJ	Ministry of Justice
NGO	Non-Government Organization
PP	Public Prosecutor
SGBV	Sexual Gender-Based Violence
SGBVC	Sexual and Gender Based Violence Cases
SOV	Survivor of Violence
STI	Sexually Transmitted Infection
UNCRC	United Nation Convention on the Rights of the Child
VAW	Violence Against Women

Introduction

This document covers an Integrated Training Manual on Sexual and Gender-Based Violence (**SGBV**), Harmful Practices (**HP**), and Sexual Reproductive Health Rights (**SRHR**) for the Liberia National Police (**LNP**), Liberia National Fire Service (**LNFS**), Judiciary Training Institute (JI), Bureau of Corrections and Rehabilitation (**BCR**), Liberia Drugs Enforcement Agency (**LDEA**), and Liberia Immigration Service (**LIS**).

This comprehensive manual has been developed by medica Liberia in partnership with UNDP to address a pressing need in enhancing the capacity of security sector actors in effectively coordinating, monitoring, reporting and addressing SGBV, SRHR and HP in the delivery of security services.

Funded by the European Union and the United Nations Spotlight Initiative Program, this manual seeks to strengthen the capacity of security sector institutions by integrating crucial topics of SGBV, HP, and SRHR into their existing training tools and curriculums.

The development of this manual involved a desk review, examining the extent to which SGBV, HP, and SRHR issues were covered in the curriculum of the security and justice institutions.

The findings revealed that while majority of the justice and security actors had existing SGBV training manuals or training resources with SGBV content, all lacked integration of HP and SRHR.

The primary objective of this manual is to bridge the gaps in the existing training tools and curriculums of the named security and justice institutions by incorporating the essential themes of SGBV, HP, and SRHR.

Given the significance of these issues in Liberia, it is imperative for all security sector actors and the criminal justice system to have a profound understanding of SGBV, HP, and SRHR. Moreover, acknowledging that SGBV, HP, and SRHR are global issues that significantly impact gender equality, justice, and women's empowerment, it is vital to embed these topics into the core curriculum of the security sector institutions.

The content of the manual comprises modules, sessions, learning objectives, key learning points, definitions, and trainer notes to guide trainers in delivering comprehensive and impactful lessons on these essential topics. By integrating SGBV, SRHR and HPs, this manual aims to empower security sector actors with the knowledge and skills necessary to effectively respond to and address these critical issues, promoting a safer and more inclusive society for all, and leaving no one behind.

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Purpose of the Manual

The primary aim of this manual is to provide comprehensive guidance to the named security and justice institutions while promoting a gender-sensitive approach in their duties and responsibilities. By emphasizing gender sensitivity, this training seeks to empower these groups to effectively uphold and promote the rights of all individuals within the community.

Training Objectives and Outcome

The objectives of the training manual are to:

Enhance the capacity of participants to effectively support and promote the rights of all individuals, adopting a gender-sensitive approach in their respective roles.

Raise Awareness on Legal Processes and Procedures related to Sexual and Gender-Based Violence (SGBV), Harmful Practices (HP), and Sexual Reproductive Health Rights (SRHR).

Promote a gender-sensitive perspective among all participants, encouraging them to recognize and address the diverse needs and experiences of individuals, irrespective of their gender identity.

Strengthen the Capacity of Institutions with the necessary knowledge and skills, in effectively responding to and addressing SGBV, HP, and SRHR issues.

How does it work?

The training manual consists of 4 (four) training modules covering different thematic issues relating to SGBV, HP & SRHR.

As the facilitator, you select the topic(s) appropriate to the learning needs of the group you are working with, read the materials for your training, and deliver the training. You may wish to customize some of the modules to suit the local context of a training group.

Similarly, you may adjust the length of the modules by skipping some exercises or adding others of your own. Also note that the indicated time for each activity is merely an indication – you may take more or less time for each activity as appropriate.

Who is this Manual is Design for?

This material is designed to be delivered to justice and security institution actors and partners including community based protection networks and service providers who work in collaboration and with the above listed institutions supporting the goal of addressing SGBV, HP & SRHR.

Facilitator's Guide

This section provides guidance to the facilitator of the training manual.

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Assumptions

It is assumed that:

You have some experience facilitating training on SGBV, SH and SRHR or similar trainings or, you shall be co-facilitating this training with an experienced facilitator/trainer. Amongst other benefits, basic training/facilitating experience will enable you to:
Understand the training/facilitation language used in this manual.

Be flexible and creative as is required by different training scenarios
Use other training methodologies/exercises apart from the ones described in this manual. Not all possible exercises could be mentioned.

You have considerable knowledge of the subject matter, that is, Sexual and Gender-Based Violence (SGBV), Harmful Practice & Sexual Reproductive Health Rights and the relative requirements for law enforcement officers/ prosecutors. If not, you are advised to study these. If you do have significant knowledge, you are encouraged to regularly/continuously study/research on the subject.

You will understand this manual to be a GUIDE rather than a rigid, step-by-step 'formula.' This means, that there is the need for you to read the manual and related material intensely so that you are familiar with both the structure of the manual and its content.

Getting Started

Training agendas/programmes for each module should be developed to guide the training.
The agenda will provide guidance provided on what specific topics to cover on the required days of the training.

Activity Structure

In most instances, the activities through which topics are engaged are structured as follows:
Objectives of the activity/ topic are highlighted.

Key Learning Points.

The required materials are listed.

The duration for training on the module.

session and it's key discussion under each module.

End of Module Activity

Facilitating the Training

Topic Facilitation Model

Most session discussion under each module are structured in a way as follow:

- 1 Step 1 Participants are given the chance to engage on a topic, mostly through discussion in pairs or groups.
- 2 Step 2 The participants share their understanding of the topic before the facilitator makes input.
- 3 Step 3 The facilitator, relating to participants' contributions, makes input, 'abstract/theoretical' in some cases.

Remember that these activities provide guidance and are not cast in stone.

As long as you achieve the objectives of an activity/topic within the time you have planned in your training programme/agenda, you can include or exclude steps or even combine steps. Also feel free to use different exercises. Also note that the time taken to facilitate each activity will vary according to the needs of the participants. Each facilitator will be aware of what they intend to achieve during the training and will determine how much time they wish to spend on each activity.

Evaluating the Training

As the training comes to an end, carry out an evaluation using the form provided in Annex 1 or any other form of your choice. The evaluation will help you to assess, amongst other areas, how participants received the training, what the participants liked the most and the knowledge gained, areas participants feel can be improved on both in terms of content and process.



Key Terms



Definitions

Child Marriage- Child marriage is also known as early marriage. It is the formal or informal marriage where at least one of the parties is under the age of 18. In child marriage the issue of consent by either of the parties is irrelevant.

Coercion- Any act that covers several degrees of force and includes physical force; psychological intimidation; blackmail and other threats. Coercion is the act or process of persuading someone forcefully to do something that they do not want to do.

Examples: when the person aggressed is unable to give consent – for instance while drunk, drugged, asleep or mentally incapable of understanding the situation.

Forced marriage or cohabitation, including the marriage of children

Forced abortion

Violent acts against the sexual integrity of women, including FGM and obligatory inspection of virginity

Forced prostitution and trafficking of people for sexual exploitation

Domestic Violence- Domestic violence occurs when one partner exerts control over the other while dating, during marriage, or cohabitation. Domestic abuse involves injuring someone, such as a spouse, partner, or other family members within the domestic setting. The injuries caused by domestic violence can be either physical or emotional.

Child Sexual Abuse- There is no agreed definition of Child Sexual Abuse, in general terms, child sexual abuse can be defined as sexual contact with a child that occurs under one of three conditions:

when a large age or maturational difference exists between the partners;

☞ when the partner is in a position of authority over or in a care-taking relationship with the child;

☞ when the acts are carried out against the child by using violence or trickery. Child Sexual Abuse can be defined as any incident involving rape or sexual assault that is perpetrated against a minor, by force or under unequal or coercive conditions.³

Consent- Giving consent, is when a person is able to and makes an informed choice and agrees freely and voluntarily to do something.⁵ It is also important to note that consent can also be withdrawn. By definition, SGBV occurs without such consent, in other words it happens against a person's will.

Female Genital Mutilation/Cutting (FGM/C) It is referred to as all procedures that involve partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons.

Forced Marriage Forced marriages are marriages in which one and/ or both parties have not personally expressed their full and free consent to the union. A child marriage is considered to be a form of forced marriage, given that one and/or both parties have not expressed full, free and informed consent.

Human Trafficking The recruitment, transportation, transfer, harboring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Psychological/Emotional Abuse Is behavior that seeks to control an individual by inflicting emotional harm, which can include threats, intimidation, humiliation, coercion, it involves a person's attempts to frighten, control, or isolate another in words and/or actions as well as persistence in the behavior and can often lead to or is incorporated with other forms of violence.

Gender-Based Violence is also referred to as Sexual and Gender-Based Violence (SGBV) is any harmful act of sexual, physical, psychological, mental, and emotional abuse that is perpetrated against a person's will and that is based on socially ascribed (i.e. gender) differences between males and females.

Gender-based Violence can be broadly defined into five categories:

Sexual violence (rape, sexual assault, sexual harassment)

Physical violence (hitting, slapping, beating)

Emotional violence (psychological abuse)

Economic violence (denial of resources)

Harmful traditional practices (forced/early marriages, female genital mutilation).



Rape Non-consensual penetration (however slight) of the vagina, anus or mouth with a penis or other body part. Also includes penetration of the vagina or anus with an object.

Sexual Exploitation Is any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another.



Sexual Harassment Unwelcomed sexual advances, requests for sexual favors, and other unwelcome verbal or physical conduct of a sexual nature.

Sexual Slavery The state, where a person exercises ownership over (a) person(s) (e.g. purchasing, selling, lending) who is/are forced to engage in sexual activity against their will

Sexual Violence/Sexual Assault

Sexual violence is any sexual act or attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic that are directed against a person's sexuality using coercion. Sexual violence can occur in any setting, including at home and at work. Three forms of sexual violence are commonly distinguished: sexual violence involving intercourse (i.e. rape); contact sexual violence (for example, unwanted touching, but excluding intercourse); and non-contact sexual violence (for example, threatened sexual violence, exhibitionism and verbal sexual harassment). Online exploitation can also be a form of sexual violence

Survivor A person who is able to continue living their life successfully despite experiencing difficulties. A person who copes well with difficulties and bad situations or afflictions and gets through a situation that often causes death.



Session Objectives

- By the end of the module, participants should be able to:
- To provide a clearer understanding of SGBV
- To prepare the personnel to be able to better deal with incidents of SGBV;
- To accord SGBV cases the seriousness they deserve and to respect the victims/survivors when he/she encounters such a victim.
- To bring the personnel at par with other law enforcement officers and other security sector institutions/agencies in the sub-region and beyond.
- To form strategic partnerships for cooperation, collaboration, and coordination both at the policy level as well as the operational level

Key Learning Points

- The following are key learning points for this module;
- o Learn and understand the definition of SGBV how it affects women and girls
- o Learn the definition of and am able to explain key terms
- o Have a deeper understanding of the types of SGBV and who are more vulnerable
- Causes and effects of SGBV

Method of Delivery

- Facilitator-led discussion, experience sharing, and group activity.

Duration

2 hours, 30 minutes

- | | | |
|--------------|---|--|
| • Session 1: | → | • Overview of Gender-Based Violence |
| • Session 2: | → | • Sexual Gender-Based Violence |
| • Session 3: | → | • Types of SGBV and its Causes & Effects |
| • Session 4: | → | • SGBV & the Law in Liberia |
| • Session 5: | → | • Causes & Contributing Factors |
| • Session 6: | → | • Power, Consent & Use of Force |
| • Session 7: | → | • Survivors & Perpetrators |

Sessions:



Session 1: Overview of Gender-Based Violence



Key Discussion Points:

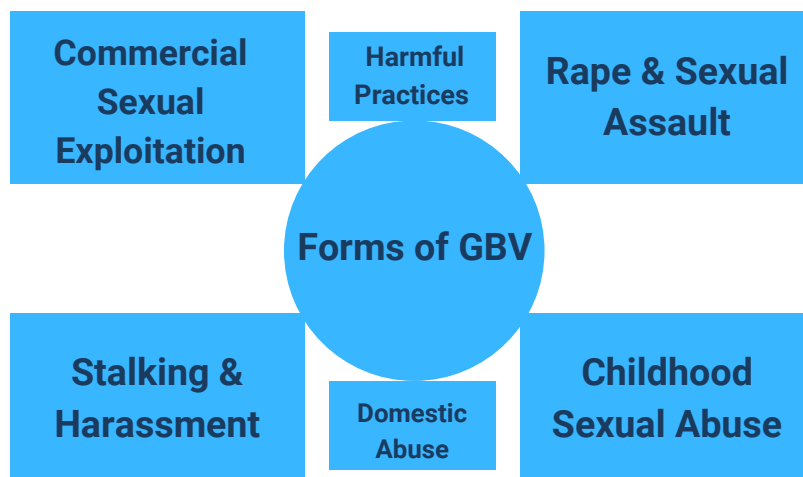
Gender-Based Violence (**GBV**) is an important issue that threatens public health, equality, the fundamental human rights of individuals, and the country's security. GBV includes a wide range of violent and abusive behaviors which are typically carried out by men against women. Despite not being exclusive to this dynamic, it remains a crucial concern that requires immediate attention and action from all sectors of society, mainly including the security sector[1].

Gender-Based Violence (GBV) is a serious violation of human rights and a life-threatening health and protection issue. When people flee their homes, they are often at greater risk of physical, sexual, and psychological violence, such as rape, sexual abuse, trafficking, and forced prostitution.

[1] <https://www.eac.int/gender/gbv/forms-of-gbv>

“Although anyone – women, girls, men, and boys – can fall victim to violence simply because of their sex or gender, women and girls are especially at risk.”

It is estimated that one in three women will experience sexual or physical violence in their lifetime. Gender-based violence is preventable, and medica Liberia is committed to promoting gender equality and protecting people from GBV. Forms of gender-based violence are



Types of Gender-Based Violence

Gender-based violence (GBV) poses a significant threat to the physical and emotional wellbeing of women and girls in Liberia, as well as globally. The various forms of GBV includes psychological, emotional, and moral violence, sexual violence, physical violence, sociocultural violence, political violence, and patrimonial or economic violence. Let's consider the table below on the various types of GBV;

Table 1: Types of Gender-Based Violence

Type of GBV	Definition
Psychological, Emotional and Moral Violence	Acts or omissions aimed at controlling a person's behavior, actions, beliefs and decision-making capacity through manipulation, intimidation, insult, threat, isolation, humiliation, bullying or stalking.
Sexual Violence	Any sexual act or conduct imposed on a person to engage in or maintain unwanted sexual acts through intimidation, threats, coercion or by force.
Physical Violence	Aggression against someone resulting in bodily injury. Physical violence can happen through various ways, such as kicking, pushing, hitting, burning, tying, commanding excessive physical work, and flogging, among others.
Sociocultural Violence	Any traditional or cultural practice that can endanger an individual's self-esteem, health and life. Examples of sociocultural violence include female genital mutilation, early marriage, forced labor, forced sexual exposure, as well as preventing women from socializing with other people, friends, family or neighbors, etc.
Political Violence	Any practice or act of discrimination or verbal, psychological, physical, sexual or economic violence. It also includes threats of such acts or intimidation that prevent or hinder women's access to public or political office.
Economic Violence	Any action or omission, including threats or attempts, to make an individual financially dependent by controlling assets and financial resources, preventing access to income, assets or economic means, the destruction or evasion (refusal of transfer) of property or inheritance, deprivation of basic needs, prohibition of working or studying or by controlling a person's work income, as well as preventing individuals from making decisions that directly affect the way they lead their lives.

Sexual Violence

Sexual violence means any sexual act or conduct imposed on a person to engage in or maintain unwanted sexual acts through intimidation, threats, coercion or by force. Some reasons why someone else might not consent include fear, age, illness, disability and/or influence of alcohol or other drugs. Anyone can experience sexual violence including children, teens, adults and elders. Those who sexually abuse can be acquaintances, family members, trusted individuals or strangers.

Forms of Sexual Violence Rape or Sexual Assault

Section 14.70 of the Penal Law under subchapter D. "Sexual Offenses" defines rape as:

- A person who has sexual intercourse with another person (male or female) has committed rape if:
- He intentionally penetrates the vagina, anus, mouth, or any other opening of another person (male or female) without the victim's consent; or
- He/she intentionally penetrates the vagina or anus of another person with a foreign object or with any other part of the body (other than the penis) without the victim's consent.

Section 14.77 of the Penal Law defines sexual assault as:

A person who knowingly has sexual contact with another person or causes such other person to have sexual contact with him or her, when they are not married to each other, has committed a second degree misdemeanor if:

- The actor knows that the contact is offensive to the other person when such other person is not a voluntary social companion or has not previously permitted sexual liberties to be taken;
- The actor knows that the other person suffers from a mental disease or defect which renders such person incapable of understanding the nature of such conduct;
- The other person is less than twelve years of age, provided the actor is sixteen years of age or older;
- The other person is in official custody or detained in a hospital, prison or other institution and the actor has supervisory or disciplinary authority over him or her;
- The other is less than twenty-one years of age and the actor is his or her parent, guardian or acts as his guardian; or

The other person is less than sixteen years old and the other person is at last five years older than the person.

Child Sexual Assault and Incest

Child sexual assault/abuse is a form of child abuse in which an adult or older adolescent abuses a child for sexual stimulation. (WHO July 2018). Child sexual assault/ abuse include the following:

- Asking or pressuring a child to engage in sexual activities
- Indecent exposure of the genitals to a child
- Displaying pornography
- Actual sexual contact against a child
- Physical contact with the child's genitals
- Viewing the child's genitalia without physical contact
- Using a child to produce pornography.
- Incest is the crime of sexual intercourse or cohabitation between a man and a woman who are related to each other within the degrees wherein marriage is prohibited by law
-

Intimate Partner Sexual Assault

Intimate partner sexual assault is defined as an assault that is committed by a current or past spouse or boyfriend. It may be any form of sexual assault that takes place within an intimate relationship. It includes not only marital rape, but all other forms of sexual assault.

Forced intercourse within a marriage is often called "marital rape". Like other forms of domestic violence, marital rape is about exerting power and control over one's partner.

Unwanted Sexual Contact/touching

Any touching of the sexual or other intimate parts of a person for the purpose of arousing or gratifying sexual desire.

Sexual Harassment

Sexual harassment occurs when differences in power between staff members are abused verbally, through touch, use of inappropriate image, etc.

Sexual Exploitation and Abuse

Sexual exploitation is actual or attempted abuse of a position of vulnerability (the quality of being easily hurt or attacked), power, or trust for sexual purposes including but not limited to profiting monetarily, socially or politically from sexual exploitation of another[1].

This abuse is an actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or under forceful conditions.

Session 2: Sexual Gender-Based Violence

Key Discussion Points:

Sexual Gender-Based Violence is violence that inflicts harm on women, girls, men and boys and is a violation of several human rights. SGBV infringes on victims/survivors' human rights and reinforces the inequities between men and women often leaving life-long physical and emotional scars and sometimes resulting in death.

SGBV disproportionately affects girls and women and this has led to the UN General Assembly in 1979 to adopt the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Sexual & Gender-Based Violence is understood as a violation of human rights and a form of discrimination and shall mean all acts of gender-based violence that result in, or are likely to result in:

- Physical harm,
- Sexual harm,
- Psychological,
- Economic harm
- Suffering to women.

SGBV can include violence against women, domestic violence against women, men or children living in the same domestic unit. Although women and girls are the main victims of GBV, it also causes severe harm to families and communities.

Addressing SGBV requires comprehensive approaches that involve legal reforms, education, awareness campaigns, support services for survivors, and changing social norms to promote gender equality and respect for human rights.

Scope of the SGBV problem;

SGBV is a serious global problem. It does not only occur in the outside world, but it is also happening in Liberia and on an alarming scale. Some types of SGBV occur more frequently in some cultures and traditions.

SGBV affects women, girls, boys, and men. The majority of the data currently available on SGBV refers to women and girls, who represent the largest group affected.

The lack of data on the incidence of SGBV perpetrated against men and boys does not mean that they do not suffer SGBV, but rather that coming forward is problematic, or that data collected is not disaggregated by sex.

SGBV is always under-reported. The number of individuals who report experiencing or surviving SGBV is likely much lower than the true number of SGBV cases.

Determining the prevalence of SGBV is extremely challenging.



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Session 3: Type of SGBV & their Causes and Effect

Session 3: Type of SGBV & their Causes and Effect

Acts of violence, coercion, or discrimination that are primarily based on an individual's gender or sexuality are known types of Sexual and Gender-Based Violence (SGBV). SGBV includes various forms of abuse that have a greater impact on women, girls, and individuals from marginalized gender groups. identities

Consider some common types of SGBV, along with their causes and effects:

Sexual Assault:

Causes: Power imbalances, social norms that perpetuate male dominance, lack of consent education, cultural beliefs that normalize sexual violence.

Effects: Physical injuries, psychological trauma, sexual and reproductive health consequences, stigma, fear, loss of trust, social isolation.

Rape:

Causes: Gender inequality, toxic masculinity, attitudes that blame victims, lack of legal and social consequences for perpetrators, cultural norms that prioritize men's desires, mental health.

Effects: Severe physical and psychological trauma, unwanted pregnancies, sexually transmitted infections, long-term emotional distress, self-blame, and guilt.

Intimate Partner Violence:

Causes- Power and control dynamics within relationships, cultural beliefs that condone or normalize abuse, socialization that perpetuates male entitlement and dominance.

Effects- Physical injuries, emotional and psychological abuse, isolation from support networks, fear and intimidation, economic dependence, long-term health consequences.

Child Marriage:

Causes- Gender inequality, poverty, harmful cultural practices and traditions, lack of access to education, family and societal pressures, weak legal frameworks, and enforcement.

Effects- Limited educational opportunities, early pregnancies, increased vulnerability to domestic violence, compromised health and well-being, perpetuation of intergenerational poverty.

Female Genital Mutilation:

Causes- Patriarchal norms and control over female sexuality, cultural and social traditions, beliefs in preserving purity and marriageability, misinformation about health benefits.

Effects- Physical pain and trauma, complications during childbirth, long-term health consequences, psychological distress, sexual dysfunction, violation of bodily autonomy and rights.

Harassment and Street Harassment:

Causes- Deep-rooted gender inequalities, power dynamics, cultural norms that objectify and sexualize women, lack of awareness and consequences for perpetrators.

Effects- Emotional distress, fear and anxiety in public spaces, restrictions on mobility and participation, impact on mental health and self-esteem, normalization of harassment.

Session 4: SGBV & the Law in Liberia

Key Discussion Points:

In Liberia, there are available laws that aim to define and criminalize various forms of SGBV and provide protection and justice for survivors. These laws can be harnessed as useful tools for the Police, Liberia National Fire Service, Judiciary, and also all other security apparatus in the country in tackling and handling SGBV-related issues

- *Liberia Penal Law, Title 26 Liberian Codes of Law Revised: The Liberian Penal Code contains provisions that address various offenses, including sexual offenses such as rape and sexual assault.*
- *The Domestic Violence Act, 2019 this law addresses various forms of domestic violence, including physical, sexual, emotional, and economic abuse within intimate relationships or households. It provides legal protection and recourse for survivors of domestic violence and aims to prevent and respond to such incidents.*
- *New Rape Law 2005 (An Act To Amend The New Penal Code Chapter 14 Sections 14.70 And 14.71 And To Provide For Gang Rape Approved: December 29, A.D. 2005): Liberia's 2005 rape law, also known as the Rape Amendment Act, is a critical piece of legislation aimed at addressing the issue of sexual violence in the country. The law significantly strengthens penalties for rape and sexual offenses, reflecting the government's commitment to combat Gender-Based Violence (GBV).*
- *Children's Law of 2011: This law focuses on protecting the rights and welfare of children in Liberia. It includes provisions to address child abuse, exploitation, and neglect, which can be relevant in cases of SGBV involving minors.*
- *Amended Anti-Human Trafficking Act, 2021. The Act also sets up the Human Trafficking Management Board (HTMB) which provides technical advice to the Ministry to effectively respond to trafficking cases.*
- *Decent Work Act 2015: The Liberia Decent Work Act, enacted in 2015, aims to ensure fair and decent working conditions for all employees in the country. As part of its provisions, the act explicitly prohibits sexual harassment in the workplace. Additionally, the act establishes a complaints and grievance mechanism, providing employees with a formal framework to report and seek redress for workplace grievances, including incidents of harassment or abuse.*
- *Inheritance Law 2003 (Prohibits return of dowry, gives traditional women 1/3rd, widow liberty after husband's death)*
- *Domestic Relations Law of 1973: The law establishes guidelines for marriage formalities, grounds for divorce, and the division of property upon dissolution of marriage. Additionally, it outlines provisions for child custody and support, aiming to protect the rights and welfare of children. The law also regulates adoption procedures, emphasizing the best interests of the child. Overall, the law plays a crucial role in shaping family relationships and ensuring legal protection for individuals involved in domestic matters.*



On the international scale, SGBV violates a number of human rights principles enshrined in international human rights instruments, among which include:

The right to life, liberty, and the security of person [ICCPR Art. 6(1) & 9(1); UDHR Art.3];

The freedom from torture or cruel, inhuman, degrading treatment or punishment [ICCPR Art. 7; UNDH Art. 5];

The freedom of movement, opinion, expression, and association [ICCPR Art. 12(1 & 2), 19(1 & 2), 22(1)];

The right to enter marriage with free and full consent and the entitlement to equal rights to marriage, during marriage, and at its dissolution [CEDAW Art. 16(a, b & c); ICCPR Art.23(3)];

The right to education, social security and personal development [UDHR Art. 26(1 & 2), Art. 22];

The right to cultural, political, and public participation, equal access to public services, work, and equal pay for equal work [UDHR Art. 27(1), 23(1-3); ICCPR Art. 25].

Human Rights Principles

There are four main principles prosecutors should remember when dealing with human rights:

- 1. Human Rights are Universal:** That is, everyone in the world is entitled to their human rights, no matter where they live. They are also the same for everyone. For instance, everyone in the world has the right to be respected, and the right to life.
- 2. Human Rights are Indivisible:** Rights cannot be separated from each other. By interfering with any one of a person's rights, you interfere with many others. For example, when a person hits their husband or wife, they violate that person's right to be free from violence, but they also violate their right to dignity (human worth).
- 3. Human Rights are Interdependent:** Human rights depend on each other. For example, your right to life is meaningless if the government refuses to protect your right to food, health care, water and shelter.
- 4. Human Rights are Inalienable:** This principle says that your human rights may never be taken away from you. Neither do you have the choice to give away your own rights (This should be distinguished from instances where human rights of criminal offenders are limited by the government).

Session 2: Sexual Gender-Based Violence

Key Discussion Points:

Sexual Gender-based violence (GBV) is rooted in societal attitudes and practices of gender discrimination. These include the roles, limitations, privileges, and opportunities individuals are afforded based on their gender.

While contributing factors can could potentially worsen the issue of gender-based violence (GBV), they do not cause it.

Some contributing factors that can influence the type and extent of GBV in any given setting are:

- Alcohol/Drug Abuse
- War & Displacement
- Poverty

What are the Root Causes of Gender-based Violence?

Male and/or societal attitudes of disrespect or disregard towards women.

Lack of belief in equality of human rights for all

Cultural/social norms of gender inequality

Lack of value of women and/or women's work



Below are key/ possible Contributing Factors:

There are a multitude of complex factors that contribute to women's vulnerability to violence. These may include:

- Alcohol and drug abuse
- Poverty
- Isolation in certain areas
- Limited access to services and activities
- Lack of consideration for women's security in planning and decision-making
- Breakdown of traditional family structures
- Cultural and religious beliefs
- General lawlessness
- High-crime geographical locations
- Poor implementation of laws against gender-based violence
- Insufficient police protection
- Etc,....



Let's Brainstorm: Myths about SGVB

Statement	 Agree	 Disagree
Women are not as important as men		
Men beat women as a way of showing love		
All human beings are equal in value		
Sometimes women need to be disciplined by their husbands		
Men have a right to demand sex from their wives whenever they want		
Women have a right to say 'no' if they don't want to have sex with their husband		
A husband has a right to beat his wife when she makes a mistake		
Women have a right to have equal share in the family's wealth		
Boys and men should not have to do housework like cooking, washing, or cleaning. It's women's work!		
Girls and boys have the same right to play		
Women have a right to contribute their views in all matters that affect them		
Women are responsible for raising children		
Bride price makes women seem like men's property		
Girls can be just as clever as boys		
It is natural for a man to lose his temper if his wife disagrees with him		

Key Discussion Points:

Power: Abusers can hold either real or perceived power. Examples of power and influential people include peer pressure, bullying, leadership, teachers, parents, controlling access to goods/services/money/favors or finances, sometimes in the context of a husband or father with economic power, elected leaders etc....

Males typically have a more dominant position than females for gender-based power (social), young and elderly individuals often have the least amount of power for age-related power.

Power and choice are interconnected. As power grows, so do choices, and conversely, those with less power have fewer choices and are more vulnerable to abuse.

Gender-based violence exploits or abuses unequal power dynamics in relationships.

Not everyone with power abuses it.

Consent: Sexual assault is distinguished from non-assaultive forms of sexual contact by the absence of consent, “the legal dividing line between rape and sexual intercourse”.

Generally, non-consensual sexual contact is obtained through coercion or the use or threat of force. When these elements are present, consent is clearly absent. For a number of reasons, however, it is important to define sexual assault in terms of consent instead of in terms of force or coercion[1]. There are identified three different forms of consent/non-consent:

To prove unwillingness, there must be some verbal protest.

We should assume non-consent unless there is clear affirmative permission.

Silence and passivity can imply either consent or non-consent, depending on all the circumstances

Acts of gender-based violence occur without informed consent. Even if s/he says “yes,” this is not true consent because it was said under duress. The perpetrator(s) used some kind of force to get her to say yes.

- In some cases, the victim may, for example, be unable to give consent to the sexual contact because of disability, age, or the influence of drugs, alcohol or medication; perpetrators may also force sexual contact when the victim is asleep or unconscious.
- Minors cannot give consent as a matter of law in some jurisdictions solely because of their age.

A consent-based definition encompasses situations in which force or coercion may not have been present, but the victim is physically or mentally unable to consent.

[1]Our Watch, Summary of attitudes and behaviours of young people in relation to consent (Feb. 22, 2016)

Threats include threatening to hurt someone physically or threatening to withhold a benefit.

For example:

An employer threatening that an employee will lose her job if she does not meet his demand for sexual favours.

A child molester threatening to tell his victim’s parents something damaging if he does not comply with demands.

A caregiver threatening to withhold support from an older person in the family unless he gives up other resources.

Use of Force: Force can take various forms, including physical, emotional, social, or economic force. It can also involve coercion or pressure, such as intimidation, threats, persecution, or other types of psychological or social pressure.

The purpose of such violence is to compel the victim to behave as expected or to comply with a request, out of fear of real and harmful consequences. Violence involves using physical force or other coercive tactics, such as threats, inducements, or promises of benefits, to obtain something from a weaker or more vulnerable person. Using violence means forcing someone to do something against their will, which involves the use of force[1].

[1] See SGBV Guidelines, UNHCR, *Involving the family and the community*



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Survivor: The appropriate term to refer to someone who has experienced gender-based violence is "survivor." It is important to distinguish between a victim and a survivor through body language:

The word "victim" conveys an image of weakness, illness, smallness, hunched posture, tears, tattered clothing, and inability to function in society.

The word "survivor" evokes an image of someone who stands tall, maintains eye contact, walks with confidence, and lives life to the fullest.

Survivors and victims can come from various groups, such as:

- o Children (unaccompanied minors and foster children)
- o Women due to cultural beliefs that consider them inferior
- o Unaccompanied females without male protection, single women, and female-headed households
- o Mentally and/or physically disabled individuals
- o Economically disadvantaged people
- o Junior staff members, students, and less privileged community members
- o Minority groups, including ethnic and religious groups
- o Asylum seekers and internally displaced persons.

Perpetrator: A perpetrator can be an individual, or a group that either commits, encourages, or tolerates violence or abuse against others. Common traits shared by perpetrators include having real or perceived power, occupying positions of authority, or being involved in decision-making processes.

Individuals, groups, or institutions who engage in or condone violence or abuse against others can be identified as perpetrators. In most cases, such individuals often hold positions of authority or possess perceived power and may be involved in decision-making processes. These common traits are often present in those who perpetrate acts of violence or abuse. Categories or groups of people who are potential perpetrators:

- Intimate partners (husbands, boyfriends)
- Influential community members (teachers, leaders, politicians)
- Security personnel
- Strangers
- Members of the community Relatives (brothers, uncles, parents, aunts, sisters, etc.)
- Anyone who is in a position of power.

NB: For any incident of SGBV, there is a survivor and a perpetrator. Therefore, all LNP, LNFS, and JI actions in prevention and response need to address both the survivor and the perpetrator. Anyone who is in a position of power.

Activity 1: Sexual Gender Based Violence:



Distinguish between sexual violence and gender-based violence?

Name 3 human rights principles that SGBV violates?

What is meant by 'violence against women'?

Distinguish between sex and gender?

Distinguish between violence and abuse

What is power? Discuss the 2 dimensions of power?

Discuss the concept of exploitation and abuse?

In the context of SGBV, what is consent?

Distinguish between perpetrator and victim?

Distinguish between victim and survivor?

Session Objectives

By the end of the module, participants should be able to:

- To address violence against women and girls;
- To understand harmful social norms and practices;
- To have an awareness of negative impacts;
- To provide services to reduce HP;
- To build or look at the policy enabling environment by influencing advocacy and to build your capacity.

Key Learning Points

The following are key learning points for this module;

- Identify and explain harmful practices (HP)
- HP as a type of SGBV;
- Understand the types of HP;
- Examples or describe HP;
- Awareness on who are the victims & perpetrators;
- Understand practices that discriminate because of sex.

Method of Delivery

- Facilitator led discussion, experience sharing and group activity

Duration

1 hour, 30 minutes

Sessions:

- Session 1: Introduction to Harmful Practices
- Session 2: Forms of Harmful Practices
- Session 3: Who is at Risk of harmful Traditional Practices

Session 1: Introduction to Harmful Practices

Key Discussion Points:

Harmful practices are actions and behaviors that can harm both the physical and mental health of individuals. These practices are also a violation of people's rights, as everyone has the right to live without experiencing harm, discrimination, oppression, or violence. These practices can be directed toward both men and women.

Harmful traditional practices are those actions and behaviors that have been committed against women and girls in specific communities and societies for so long that they are often presented as accepted cultural practices, even though they are harmful. International human rights protect people against harmful traditional practices with the following rights;

- Right to life and health
- Right to non-discrimination on the basis of sex
- Right to liberty and security
- Right to freedom from inhumane and degrading treatment

Key Points to Consider:

Traditional cultural practices reflect values and beliefs held by members of a community for periods often spanning generations.

Every social grouping in the world has specific traditional cultural practices and beliefs, some of which are beneficial to all members, while others are harmful to a specific group, such as women.

Victims of harmful traditional practices can suffer sexual and reproductive health consequences, including forced and unwanted pregnancies, unsafe abortions, traumatic fistula, sexually transmitted infections, including HIV, and even death. Other types of gender-based violence are any form of unwanted sexual contact (sexual abuse or harassment) or even violence within a relationship or marriage.

Let's Brainstorm: Harmful Practice

Which of the following measures can be taken to eradicate Harmful Traditional Practices?
Write five reasons for and the complications associated with early marriage.

The extent of the HP problem

Harmful practices constitute a form of gender-based violence against women and girls and may amount to torture or cruel, inhumane or degrading treatment.

Such practices are deeply rooted in discrimination on the basis of sex, gender, age and disability, amongst others.

Harmful practices violate the human right to the "enjoyment of the highest attainable standard of health" and can carry a high risk of death and disability.

FGM can "lead to various immediate and long-term health consequences, including severe pain, shock, infections and complications during childbirth (affecting both the mother and child), long-term gynaecological problems such as fistula, psychological effects and death."

Child marriages are "often accompanied by early and frequent pregnancies and childbirth, resulting in higher than average maternal morbidity and mortality rates."

Harmful traditional practices are a product of social norms which aim to uphold cultural ideas about gender roles and social relations.



Key Discussion Points:

The most common harmful traditional practices are: Female Genital Mutilation, Forced/ Early Marriage, Denial of Education, Persons Accused of Witchcraft, or Honor killings.

Female Genital Mutilation: “All procedures that involve partial or total removal of the external female Genitalia, or other injury to the female genital organs for non-medical reasons.”(World Health Organization Department of Reproductive Health and Research Geneva). Example of FGM, cutting of genital organs, for non-medical reasons, usually done at a young age. Who are the perpetrators of FGM? Traditional practitioners, supported, condoned and assisted by families, communities and/ or State.

Early Marriage: arranged marriage under the age of eighteen (18) years (sexual intercourse in such relationships constitute statutory rape, as the girls are not legally competent to agree to such favors). Who are the Perpetrators? Parents , community and state.

Denial of Education: removing girls from school, prohibiting or obstructing access of girls and women to basic, technical professional or scientific knowledge. Who are the perpetrators? Parents, family members, community, and state.

Persons Accused of Witchcraft: Traditional inhabitants, especially women and girls, are usually accused of witch craft; by forced confession, or adults initiate children to witchcraft activities. They undergo physical and painful procedures equivalent to torture, thereby being subjected to Trial by Ordeal. Who are the perpetrators? Traditional leaders, community dwellers, and family members.

Honour based violence or honor killings, where men kill girls in the name of family 'honor', for example for *having sex outside marriage or refusing an arranged marriage*.



Spotlight Initiative
To eliminate violence
against women and girls



Session 3: Who is at Risk of harmful Traditional Practices

Key Discussion Points:

Harmful practices are violations of women and girls' human rights and constitute a form of gender-based violence against women and girls and may amount to torture or cruel, inhumane or degrading treatment.

Such practices are deeply rooted in discrimination on the basis of sex, gender, age and disability, amongst others.

The Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child have consistently underlined that harmful practices are deeply rooted in societal attitudes that regard women and girls as inferior to men and boys. Both Committees have expressed concerns about the use of these practices "to justify gender based violence as a form of 'protection' or control of women and children[1]."

[1] OHCHR, Fact Sheet No.23, Harmful Traditional Practices Affecting the Health of Women and Children. <http://www.ohchr.org/Documents/Publications/FactSheet23en.pdf>

Harmful practices specifically disadvantage women from marginalized groups. Rural women and girls particularly face the risk of "child and/or forced marriage, polygamy and female genital mutilation, which endanger their health and well-being and may push them to migrate in order to escape such practices, potentially exposing them to other risks."

In addition, there is often continued adherence to harmful practices by members of practising communities who have moved to destination countries through migration or to seek asylum.

Social norms and cultural beliefs supporting such harmful practices persist and are at times emphasized by a community in an attempt to preserve its cultural identity.

Women and girls with disabilities are at particular risk of harmful practices, which are typically justified on the grounds of sociocultural and religious customs. For example, girls with disabilities are more likely to die as a result of 'mercy killing' than boys with disabilities because their families are unwilling or lack the support to raise a girl with an impairment.

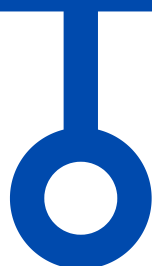
Harmful practices affect the enjoyment of the right to education. Child, early and forced marriage contributes to higher rates of school dropouts and forced exclusion from schools. Harmful practices directly threaten girls' human right to education: "By failing to curb child marriage, Governments fail in their obligation to ensure access to education for girls on an equal basis with boys." The right to education includes the right of women and adolescents "to accurate information about sexual and reproductive health and rights and on the impacts of harmful practices as well as access to adequate and confidential services including those from law enforcement i.e **LNP, & Judiciary.**"



Activity 2: Harmful Practices



Let's Brainstorm!



What are the most common Harmful Traditional Practices in our country?
List some of the major impacts of HTPs on the victims.

Describe some of the major HTPs in your area of the country where work and the reasons given for practicing them.

Which population groups are usually most affected by many of the Harmful Traditional Practices in your working area?

What do you think can be done to prevent the occurrence of Harmful Traditional Practices?

Session Objectives

By the end of the module, participants should be able to:

- Have a clear insight into the history and trend of sexual reproductive health and rights at the global and national levels
- Have a deeper understanding of the concept of SRHR
- Be able to identify and use legal instruments relating to SRHR
- Be able to define and explain key terms of SRHR

Key Learning Points

The following are key learning points;

- Understanding of the importance of SRHR which is to improve the quality of services for victims;
- Enlighten personnel about sexual and reproductive health and rights of survivors/victims in security institutions.
- Expose the personnel to the concept that women sexuality is a human right and is protected under international laws.
- Broaden the personnel's knowledge on challenges faced by women based on their sexuality and reproductive functions.
- Generate understanding for women whose sexual and reproductive health rights may be abused by their husbands or partners.

Method of Delivery

- Facilitator led discussion, experience sharing and group activity

Duration

2 hours

Sessions:

- | | | |
|--------------|---|---|
| • Session 1: | → | • Understanding SRHR |
| • Session 2: | → | • Concept of SRHR and Definition of Key Terms |
| • Session 3: | → | • History and Trends of SRHR (Global & National Levels) |
| • Session 4: | → | • SRHR Legal Instrument |

Session 1: Understanding SRHR

Key Discussion Points:

- Sexual Reproductive Health Rights talks about the right for a woman to make decisions about her sexual and reproductive health without any discrimination, intimidation, or violence.
- “Sexual and reproductive health rights are important rights for ensuring that all women, girls, and marginalized populations have the opportunity to participate in political processes fully.
-
- Access to SRHR services, such as family planning, safe and legal abortion, and sexuality education, can improve health outcomes and help individuals to exercise their rights and fulfill their potential.



Some examples of SRHR includes;

Access to Family planning and contraception.

Access to sexually transmitted infection (STI) prevention and treatment.

Allow individuals to make informed decisions about when and if they want to have children.

Access to safe and legal abortion.

Key Challenges to SRHR:

Lack of Access to Information and Services

Stigma and Discrimination

Legal and Policy Barriers

Limited Funding

Lack of Political Will

Gender Inequality

Healthcare Provider Bias

Limited Availability of Contraceptives

Limited Availability of Safe Abortion Services

Key Challenges to SRHR:

Lack of Access to Information and Services

Stigma and Discrimination

Legal and Policy Barriers

Limited Funding

Lack of Political Will

Gender Inequality

Healthcare Provider Bias

Limited Availability of Contraceptives

Limited Availability of Safe Abortion Services

Any SRHR that are offered to adolescents and young people by should need to have the following characteristics:

- Effective/ Efficient
- Accessible
- Acceptable/patient-centered
- Equitable
- Safe
- Privacy and confidentiality
- Reliability and consistency

Violations of women's sexual and reproductive health rights are often deeply engrained in societal values pertaining to women's sexuality. Patriarchal (male-dominated) concepts of women's roles within the family mean that women are often valued based on their ability to reproduce. Early marriage and pregnancy or repeated pregnancies spaced too closely together, often as the result of efforts to produce male offspring because of the preference for sons, has a devastating impact on women's health with sometimes fatal consequences. Women are also often blamed for infertility, suffering ostracism (exclusion or expulsion from society), isolation and being subjected to various human rights violations as a result. Women in polygamous (more than one) marriages where the pressure and competition to please their husbands are especially at risk of closely spaced pregnancies.

Training on SRHR for staff and employees in government law enforcement agencies can help citizens access the best available services related to SRHR enforcement.

To ensure SRHR for all, it is important to involve a range of actors, sectors and policies to address SRHR via cross-sector work.

Progress in SRHR requires confronting the barriers found in laws, policies, and social norms and values – especially gender inequality – that prevent people from achieving sexual and reproductive health. Therefore, professionals working in police, legal and judiciary are key actors in achieving improved sexual and reproductive health and safeguarding sexual and reproductive rights.

The Liberian Government has recognized that customary laws and practices often deny women and girls their sexual and reproductive rights, especially in rural areas. However, recent legislation, including the rape and inheritance laws, have been enacted to address some of these issues.

The UN Sustainable Development Goal (SDG) 3 (healthy lives and well-being), target 3.7 indicates that member states should "ensure universal access to sexual and reproductive health care services, including family planning, information and education, and the integration of reproductive health into national strategies and programmes".

Presently in Liberia there has been insufficient education that focuses on training program in security sector, legal and social work with regard to SRHR.

It is also important to note that individual's attitudes towards SRHR are strongly influenced by culture, religion, traditional practices and affect how personnel regard their professional role in regard to the promotion of SRHR.

Session 1: Understanding SRHR

Key Definitions & Concepts:

Emotional well-being- involves having positive and healthy attitudes towards sexuality, self-esteem, and body image.

Gender Identity- refers to a person's perception of having a particular gender, which may or may not correspond with their birth sex.

Mental well-being- concerns such as anxiety or depression related to sexual functioning or fertility issues.

Physical well-being- includes access to healthcare services and information related to sexual and reproductive health, as well as the ability to make informed decisions about one's own body and sexual health.

Reproductive Health- is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its functions and processes.

Sexual and Reproductive Health Rights- is the concept of human rights applied to sexuality and reproduction.

Sexuality- relates to sex, gender identities, sexual orientation, intimacy pleasure etc.

Social well-being- includes access to supportive and non-discriminatory social environments where individuals can express their sexual and reproductive identities without fear of discrimination or violence.

Session 3: History and Trends of SRHR (Global & National Levels)

Key Discussion Points:

Sexual & Reproductive Health Rights is a human right that is recognized by international agreements and treaties, including the Universal Declaration of Human Rights, the International Conference on Population and Development, and the Sustainable Development Goals.

With significant conferences such as the International Conference on Population and Development in Cairo in 1994 and the Fourth World Conference on Women in Beijing in 1995, the worldwide focus on SRHR gained momentum in the 1990s. These conferences recognized SRHR as fundamental human rights components and advocated for action to ensure access to reproductive health services and gender equality. Following the summits, various international agreements and frameworks to support SRHR were developed.

History of Sexual and Reproductive Health and Rights (SRHR) in Liberia , A Brief Overview:

Pre-Conflict Period: Prior to the civil war (1989-2003), Liberia had relatively favorable SRHR indicators. Family planning services were available, and efforts were made to address maternal and child health. However, access to healthcare services was limited, particularly in rural areas.

Post-Conflict Period: Following the war, efforts were made to rebuild the healthcare system, including SRHR services. The government, along with international partners and NGOs, focused on building healthcare infrastructure, training healthcare providers, and providing essential reproductive health services.

Challenges: Liberia faces several challenges in promoting SRHR. Limited resources, inadequate healthcare systems and programs, and a lack of trained healthcare providers hinder access to comprehensive SRHR services. Cultural and traditional beliefs, including harmful practices like female genital mutilation, also pose challenges to women's reproductive health and rights.

Progress: Despite challenges, progress has been made in improving SRHR in Liberia. Efforts have been made to increase access to family planning services, promote comprehensive sexuality education, and raise awareness about reproductive health and rights. As law enforcement officers, adequate and reliable services are required for SRHR cases.



Session 4: SRHR Legal Instruments

Several legal instruments at the international and regional levels have been developed to promote and protect Sexual and Reproductive Health and Rights (SRHR). Here are some key legal instruments:

Universal Declaration of Human Rights (UDHR)

International Conference on Population and Development (ICPD) Program of Action

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

Beijing Declaration and Platform for Action
Convention on the Rights of the Child (CRC)

African Charter on Human and Peoples' Rights

European Convention on Human Rights

These legal instruments serve as important frameworks for advocating and advancing SRHR at the international and regional levels.

They provide guidance to governments, policymakers, and advocates in promoting and protecting the sexual and reproductive health and rights of individuals worldwide.

Activity 3: SRHR for Women

Let's Brainstorm



- How does realizing Sexual and Reproductive Health and Rights (SRHR) impact women's political participation? Discuss how access to comprehensive sexual and reproductive healthcare can empower women's political engagement.
- Are there specific laws or policies that have positively impacted women's SRHR and political engagement?



Capacity building training of Justice and Security Institutions on prevention, protection and response to SGBV, HP and promotion of SRHR-2020

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Session Objectives

By the end of the module, participants should be able to:

- Have useful information on investigating Sexual Violence cases
- Gather and secure Evidence in Sexual Violence cases
- Interview the witness, survivors, and perpetrators
- Understand the rights of both survivors and perpetrators
- Document and record evidence

Key Learning Points

The following are key learning points for this module;

- Identify and explain key procedures required for investigating, gathering evidence and documenting SGBV Cases
- Awareness on who are the victims & perpetrators
- Understanding practices in gathering and documenting sexual violence cases
- Key things to consider when investigating SGBV Cases:

Method of Delivery

- Facilitator-led discussion, experience sharing and group activity

Duration

2 hours

Sessions:

- Session 1: → Overview of Sexual Violence/ Assault Case Investigation
- Session 2: → Interviewing the Survivor
- Session 3: → Investigating, Gathering & Documenting Evidence
- Session 4: → Coordination between Police and Court
- Session 5: → Response Services & Prevention Strategies

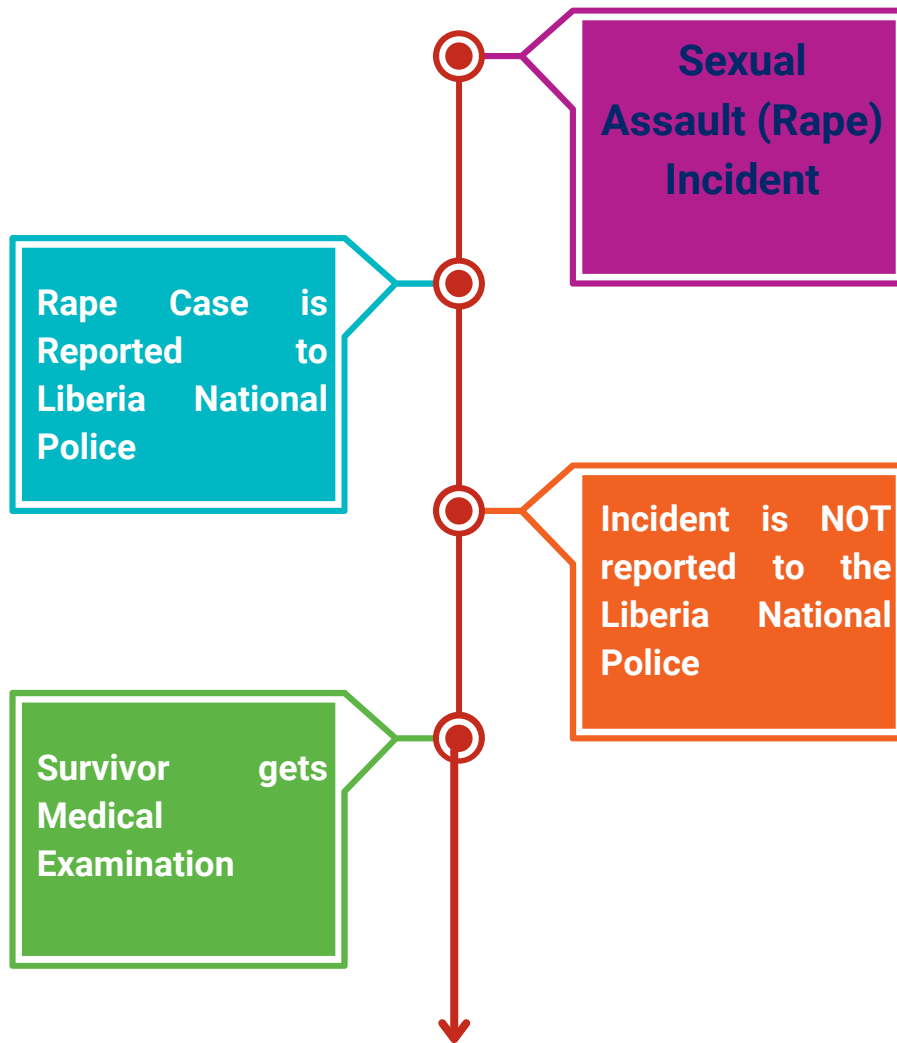
Session 3: Who is at Risk of harmful Traditional Practices

Key Discussion Points:

- When dealing with cases of sexual violence in Liberia, a standard procedure is followed to ensure a smooth investigation process. The police are responsible for initiating contact with the victim and explaining the legal process step-by-step, as most people may not be familiar with the proceedings.
- It is crucial to ensure that the investigation is carried out with precision, thoroughness, and impartiality to reach a just and fair conclusion satisfactory for all parties involved.
- The Liberia National Police must prioritize the collection of available evidence, even if they have limited resources.
- The rights of all parties, including the victim, witnesses, and perpetrator, must be respected to guarantee a fair investigation.
- Furthermore, the police must ensure that the victim does not experience further trauma and provide appropriate referrals if necessary.

Key things to consider when investigating SGBV Cases:

- ✓ Ensure your own safety and that of others;
- ✓ Ask if the affected person(s) is safe at present so as to assess any immediate or medium-term risk;
- ✓ Alert medical services if assistance is required;
- ✓ Be supportive and show empathy. Listen; Do not Judge the Victim
- ✓ Provide accurate information about where to receive assistance, e.g. address, contact.. Maintain confidentiality.
- ✓ Listen to the Victim
- Give adequate space and or time for him/her to speak.
- ✓ Show interest- it is important to listen without reacting or showing emotions, even when facts are shocking or painful.
- ✓ Be flexible- It is important to know what issues need to be covered, but an interview should not be unnecessarily formal – most people may not take too well to formality;



Investigation

The Go/ Liberian National Police is responsible for investigating all reported SGBV cases. Survivors is given medical examination to the required facility if not yet done. Survivors/Perpetrator's statements taken for investigation. Once the survivor/victim has reported, the state (not the survivor/victim) is responsible for investigating the case and prosecuting the offense. It is not the survivor/victim's responsibility to push the case through each phase of the system. The Suspect/ Perpetrator/ Defendant is arrested and arraigned in court.

Court Proceeding/ Trial

Once the perpetrator/defendant is arrested, s/he is brought to the magistrate for 'presentation' or 'first instance' by the police or sheriff. If the perpetrator/defendant qualifies for and pays bail, s/he may be released until trial. If the perpetrator/defendant waives his or her right to a preliminary examination, or if probable cause is found at the preliminary examination, the magistrate will transfer the case to the Circuit Court for trial. Trial: Once the defendant is indicted, the case is presented to a jury, who will ultimately determine if the defendant is guilty beyond a reasonable doubt. After trial, the defendant may appeal the conviction or sentence to the Supreme Court as a matter of right. The prosecution may appeal an order granting a motion to dismiss an indictment or an order granting a motion for judgment of acquittal.

[1] Sexual Assault// Abuse Investigation RoadMap: A Reference Example

Session 3: Who is at Risk of harmful Traditional Practices

Once you have interviewed the survivor about what happened, you will draft a complaint based on the survivor's story. Remember the elements of the crime (s) and make sure that all necessary data has been included in the complaint.

The statement must be directly relevant to the crime or issue in question. For a review of SGBV crimes and their elements, see part II- Liberian Criminal Offenses[1].

Medica Liberia: Legal Training Manual

Requirements for a Complaint:

- The nature of the offense to be charged
- A concise statement of facts in chronological order, including:
 - The time and place of the crime
 - Description of the offender's behavior constituting the crime
 - The name of the offender (if known)
 - A description of the offender (as complete as possible for later identification)
 - Signature of complainant under oath

Like most community members, survivors may not be familiar with the details of a criminal justice response to sexual violence. Therefore, the police should:

1. Patiently explain, using easy to understand language the legal process to the survivor and what will happen next.
2. Provide contact information for the officer who will be handling the investigation.
3. Explain that disclosure is a process and encourage the survivor that she may contact them with more information at any time.
4. Remind him or her that it is illegal for anyone to ask him or her to change their story. She should contact you immediately if she is threatened or intimidated by the perpetrator or others in the community.
5. Make sure to get the contact information-and location-of the survivor. Ask whether it is safe for someone to call or follow up with her.

When taking the survivor statement, the police should:

- Offer to interview the survivor
- Remind the survivor that she is welcome to have a family member, friend or advocate present during the interview for support.
- Interview the survivor privately
- Treat the survivor with dignity
- Never rush to record the statement
- Before the interview, ask if the survivor has any questions about the process and tell her that she may stop the interview at any time to take a break.

Interviewing Silent Survivors

If you are meeting him/her for the first time:

Introduce yourself and your role.

Give him/her space to say something.

If he/she still does not speak, repeat the information in different words. If he/she still does not talk then

Interviewing Silent Survivors

Reflect: "You may be finding it difficult to say what you want to. It is difficult to talk to a stranger about what you are feeling, but sometimes it helps"

Give space if the silence continues: you can use the silence by just being with the person. Remember, if you are thinking about the survivor and trying to be with him/her, your posture and tone of voice will convey that it will be easier for the survivor to respond.

Interviewing Silent Survivors

High light the need: "I know that you are trying to make a decision whether to talk or not. It may be helpful to at least say what you are feeling about that; it may help clarify some things"

Reestablish credibility: by talking about how people feel when they are able to work with prosecution and normalize the experience of not being able to talk.

Interviewing Silent Survivors

If the survivor cries reassure him/her that crying is normal and offer them some water or tissue.

Tell at another time if he/she would prefer. This gives them the impression that she/he is in charge of the interview.

Since interview & preparing the survivor is the most difficult part of investigating and prosecuting sex crimes, gaining the survivor's confidence is very crucial to law enforcement officers and prosecution.

Statement taking care of witnesses and accused

The police will interview witnesses who were present before, during, or after the offense. As soon as possible after the crime, you will return to the crime scene and ask whether anyone saw or heard anything.

You may talk to friends or family members, inquiring whether the survivor mentioned anything about the incident or if they saw anything unusual.

With the consent of the survivor, you may also interview health professionals about the treatment of the survivor or any evidence that was obtained during the examination. (The police must use the Ministry of Justice (MoJ) Consent for Release of Information Form to get the written consent of the survivor or his or her guardian). These witnesses may later testify at trial.

At this stage, you should confirm the age of the perpetrator and the survivor, as ages are often manipulated out of fear or ill will.

The police will use the following form to take the statements of these witnesses. The statement itself is important, but the contact information is even more important. The prosecution will later need to track down these witnesses to testify at trial. If the SGBV Unit handles the case, the Liaison Officer will stay in touch with the witness up until trial.

Key Question for Every Statement

WHAT

What happened- Before-During-After Exhibits such as Weapons.

WHEN

Dates (Day, Month, Year-approximate times)

WHERE

Where events took place-address or general location

WHO

How many people were witnesses to the events? Focus on distinguishing features or dress, known people and known-Identification- Names-Witnesses to the events

HOW

How did the event happen- focus on details, threats either physical or mental-was anything said- Any witnesses to the events and how or where they can be contacted

WHY

Why the event happened – Did anyone say anything prior to the event Where; Any threats, either physical or mental, what was said or done after the event.

Session 3: Who is at Risk of harmful Traditional Practices

Key Discussion Points:

Evidence of sexual assault and abuse cases are most often found in three areas:

- On the survivor,
- On the suspect, and
- At the crime scene.

Gather evidence from the survivor

It is important to encourage survivors of sexual assault to refrain from changing their clothes before seeking medical attention at a health clinic. This is especially crucial if the assault has occurred recently, as the survivor's clothing may contain vital evidence such as blood and semen residue.

By using a rape kit, trained health professionals can collect and preserve this evidence for potential legal proceedings. If the survivor agrees, the police may request that they bring their clothing and underwear to them after their visit to the clinic. Alternatively, the clinic may store this evidence in a secure location and later provide it to the police as needed. It is essential to handle this evidence with care and sensitivity to ensure that justice is served for survivors of sexual assault.

With the consent of the survivor, the police may also take photographs of the survivor's injuries. The police may take non-genital photos, but they should work with the health professionals to take photo of the genital area. These photos are extremely sensitive and should be maintained as part of the full medical record at the hospital (not at the police station or prosecutor's office). They should be made available only upon subpoena or court order.

Gather evidence from the suspect

To gather evidence from the suspect, such as the clothes that he was wearing the day of the incident, the police may ask the accused to voluntarily turn over the evidence. If the accused refuses, the police will need to obtain a search warrant.

Visit the crime scene

A crime scene is any physical location where a crime occurred or is suspected of having occurred. The crime scene might be a forest, bush, bush road, residential property, an automobile, a street or even a person. Many criminal cases have more than one crime scene. In a sexual assault, for example, the location where the sexual assault occurred is one crime scene, and the body of the survivor is another crime scene.

At the crime scene, the police inspect for physical evidence and canvas eyewitnesses, neighbors and bystanders. The police may take photos or make sketches of the crime scene. In sexual assault cases, it may be difficult to determine what is relevant and what is not. Photos and sketches will provide documentation and evidence that may not be available later because of changes to the scene overtime. (Note that a search warrant may be necessary to search the scene if the owner does not grant permission)

All evidence should be secure at all times, and its possession should be documented in the MOJ Chain of Evidence form.

The crime scene is crucial for your investigation. You may be able to interview eye witnesses, apprehend the perpetrator, document the scene, and obtain real evidence. Always document each trip to the crime scene. Record interviews, evidence, and keep any other information you learn at the scene in the police file.

Timing

Remember that much of the evidence you might collect and information you might learn from a crime scene may be fleeting. Wherever possible, you should get to the scene immediately after a report has been made, particularly if the report is made soon after the crime has taken place.

Getting to the crime scene immediately may be challenging. Often sexual assaults are not immediately reported. And, in some counties, LNP officers do not have access to vehicles. Nonetheless, it is crucial to get there as soon as possible. You will still likely be able to interview neighbors or other witnesses and document the scene, and the sooner you get there, the more likely you will be able to obtain the information you need.

Note that Case Liaison Officers may assist the LNP in getting to the crime scene early.

First Questions

At the point of reporting the incident, your first priority is to learn:

What is the nature of the crime or investigation?

Who is the survivor (if the case was reported by someone else)? And is she on the scene?

Has the survivor been taken to the clinic?

Who is/are the perpetrator (s)?

Are they on the scene? In custody?

What is/are the description of the perpetrator (s)?

Did they flee? In what direction?

Are there any witnesses?

Who contacted the police?

Where exactly did the assault/crime take place?

Documenting Evidence

The police should keep a master list of evidence in each case. It is easy for individual pieces to get lost. Before trial, the police will transfer this master list to the prosecutor along with the evidence itself.

To present evidence at trial, the prosecutor must ensure that the evidence is what the prosecutor claims it to be and it is as intact as it was at the time of the crime. To do so, the prosecutor will have to establish who had access to the item from the moment of the crime to the time of trial. Police and prosecutor must document this "chain of custody" for each item.



Each case will have one Master Evidence List that is kept in the file and each piece of evidence will have its own item chain of custody log kept with the item at all times. Let's fill in this evidence form as a practice guide:

POLICE EVIDENCE	
Large item envelope - this must be sealed securely. Collection evidence. Place each item of evidence in a separate envelope. Wet items need to be dried before being stored. This form MUST be filled out completely.	
Case Number:	Date of Complaint:
Police Station:	Date of incident:
Type of Incident / Offence:	Location of Incident / Offence:
Complainant / Victim Name:	Investigator in Charge:
Age of Victim:	Suspect / Accused:
Officer Collecting Evidence:	Date Evidence Collected:
Description of Evidence Collected:	
CHAIN OF CUSTODY	
Evidence Received From:	Evidence Received By:
Date: ___ / ___ /20___ Time	Date: ___ / ___ /20___ Time
Evidence Received From:	Evidence Received From:
Date: ___ / ___ /20___ Time	Date: ___ / ___ /20___ Time

Session 3: Who is at Risk of harmful Traditional Practices

Once an offender has been arrested the police/ sheriff will bring the defendant to the Magistrate for "Presentation". The Magistrate will advise the offender of his or her rights and determine bail. If the defendant qualifies for and is able to post bail, he/she may be released until trial. Because special rules apply in sexual offense cases and the defendant doesn't have the right to a preliminary hearing in Magistrate Court, the Magistrate will forward the sexual offense case to the circuit court within 72 hours of arrest.

The Clerk of the Circuit Court will refer the file to the county attorney, who will evaluate the evidence and present the case to the grand jury for indictment if they find probable cause and indict the defendant, and then the County Attorney will begin to prepare the case for trial.

Note that there will be a slightly different procedure in Montserrado County for the SGBV Crimes Unit and Criminal Court E .

Preparing Your Case

The state has a high burden to prove to a jury that the sexual offence has occurred and that the defendant is responsible. The defendant will be presumed innocent unless you prove that he/she is guilty beyond a reasonable doubt. As such, you will need to put together a good case. You will start with the police file and, if you are in the SGBV Unit, information from the investigators.

You will interview witnesses to get the best understanding of the events that transpired. You will also interview the survivor's written consent; you will talk to the health professionals or counselors who treated the survivor and request the medical report form. You may conduct depositions to obtain additional evidence. Finally, you will decide who to call as a witness and prepare for their testimony.

Preparing Your Case

Pre-trial hearing

The unit or defense will request the court for assignment for hearing of all pre-trial motions and conferences.

All the dates must be declared in a written notice of assignment issued by the clerk upon order of a judge. Party requesting the assignment must ensure the assignment is served on opposing party at least 5days before the date of any hearing.

At trial, you will present your case to a jury, who will ultimately determine whether the defendant is guilty beyond a reasonable doubt. The prosecution presents its full case first. In this phase, you are telling the jury a story about what happened. You will give an opening statement and then present the testimony of witnesses, including the survivor, who will recount their version of the events. You will introduce documentary and physical evidence, including medical report if available. The defense will have an opportunity to cross-examine your witnesses. And then the defense will present its own case and you will have the opportunity to provide rebuttal evidence. Finally, you and the defense attorney will make closing arguments summarizing your cases and urging the jury to return a verdict in favor of your respective clients. The jury will then deliberate and reach a verdict. And if the defendant is found guilty, the judge will issue a sentence.

After the trial, the defendant may appeal the conviction or sentence to the Supreme Court as a matter of right. The prosecution has more limited rights to appeal. You may appeal an order granting a motion to dismiss an indictment or an order granting a motion for judgment of acquittal



A Reminder for Law Enforcement

Evidence will not be admissible at trial if:

1. The prosecution cannot establish the chain of custody
2. The warrant is insufficient on its face
3. The property seized is not that described in the warrant
4. The purported grounds set forth in the application for the warrant do not exist
5. The evidence forming the grounds on which the warrant was issued was obtained illegally
6. The warrant was illegally executed
7. The property, if seized upon an arrest, was illegally seized OR
8. The property was seized without a search warrant having been issued

Confessions will not be admissible at trial if:

1. The confession was coercive by physical or mental force;
2. The defendant was not advised of his or her rights.



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Key Discussion Points:

SGBV Response is providing services and support to reduce the harmful after-effects of SGBV and prevent further injury, trauma, and harm. The response includes action to assist/support the survivor, provide appropriate consequences to the perpetrator, and restore/maintain security for the survivor and the community.

Key response services that should be available includes the following sectors/functional areas:

- Health Care/ Medical Assistance
- Psychosocial assistance/ Psychological and emotional support
- Social acceptance and reintegration.
- Security/ safety/ Legal justice i.e LNP, LNFS, Judiciary..

SGBV Prevention is understanding the causes and contributing factors and establishing strategies to reduce or eliminate them.

Prevention is a long-term process and requires good monitoring so that strategies can be changed over time to maximize effectiveness. developing prevention strategies is the same as developing any other project or program; it requires good assessment, good planning, good monitoring, and resources (human, financial, technical).

The root causes of SGBV are long standing cultural norms. it may take several generations before there is lasting social change that results in a real reduction or elimination of SGBV.

For every act of SGBV, there is a perpetrator and a survivor/victim. prevention strategies must target both potential perpetrators and potential survivors.

LNP-Roles & Responsibilities in SGBV Prevention

It is the duty of the Police to enforce the law. They conduct investigations and collect evidence to determine if a crime has been committed. In cases involving gender-based violence, it is recommended that survivors and witnesses are interviewed by WACPS police officers who have undergone specialized training in handling such cases. The key roles and responsibilities of the LNP in SGBV prevention are;

Ensure the safety/survival of the victim and give information about existing security measures that can prevent further harm.

Ensure the protection of the alleged perpetrator.

Maintain adequate security presence: WACPS desks should be provided in all police stations countrywide.

Through informal and formal networks, maintain awareness of protection and security issues related to GBV.

Provide information about protection and security issues to other response actors that is health, psychosocial, and legal.

Participate in awareness-raising activities within communities.

Judicial Responsibilities in SGBV Prevention

Legal and judicial actors have a responsibility to ensure the safety and security of individuals. This includes having;

Women and Children Protection Section (WACPS) desks available in all police stations throughout the country.

They should also stay informed about protection and security issues related to gender-based violence (GBV) through both formal and informal channels.

It is important for legal and judicial actors to share information about protection and security issues with other health, psychosocial, and legal response actors.

Additionally, accurate information must be provided regarding the rights of both victims/survivors and perpetrator/defendants in regard to the law, legal process, and the roles of legal actors.

Improvements to laws and legislation regarding GBV should also be a priority. Legal and judicial actors must apply relevant laws and policies and make sure that GBV cases are adjudicated with minimal delays.

Finally, coordination and support of prevention efforts with other actors is crucial for effective GBV prevention.



ANNEX 1: TRAINING EVALUATION FORM

Kindly evaluate this training by responding to the following statements:

Personal information

Name

Address

Email

Phone

1. What I liked most about this training was (provide reasons):

2. I feel that the following areas of the training can be improved (provide reasons):

3. Comment on the Content/Topics of the Training

4. Comment on the Facilitation of the Training

5. As a result of the training, I feel I will be able to do the following:

Blank white box for writing the response.





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Thank you!



Capacity building training of Justice and Security Institutions on prevention, protection and response to SGBV, HP and promotion of SRHR-2020

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