

NETWORK MEMBER: DYNAMIQUE DES FEMMES JURISTES



Standing up for the Rights of Women and Girls in One of the World's Most Unstable Regions

Dynamique Des Femmes Juristes facilitates women's access to justice and fights against impunity. It strengthens the skills of women so they can take part in decision-making bodies in both the public and private sectors; it develops the potential of women so that they engage in the promotion, protection and defense of their rights.

Founded 2006

www.dfj-rdc.org



DFJ staff and volunteers organize community awareness-raising days to counter impunity for sexual violence in the eastern DRC.

Masisi Territory is a beautiful, dramatically green region of hills and mountains in the Great Lakes Region of East Africa. It has enormous economic potential and is desperately poor. For Masisi is in North Kivu, in the eastern Democratic Republic of the Congo. For over 20 years it has been buffeted by ceaseless violence and instability.

The region has seen the arrival of two million Hutu refugees, among them *genocidaires*, two DRC-wide wars, both originating in Kivu. A local, and seemingly endless, Kivu Conflict has since 2003 involved a swirling alphabet-soup of rebels, Government forces, private militias and resource profiteers. Masisi has witnessed massacres, land seizures, tribal conflict and systematic sexual violence.

In a setting such as this it is easy to think that advancing justice and rights for women are rarely a consideration. That's certainly what the brothers and cousins of three women called Faida, Jeanne and Sikujua in the village of Buhutu in Masisi Territory thought. The three women were the daughters and granddaughter of a man called Dominique Miteo. When Dominique died in 2011 the three women inherited a portion of the family's farmland.

Immediately four male relatives – brothers and cousins called Timothee, Muhirwa and Kasere – refused to accept the will and verbally attacked the women – trying to threaten and coerce them into handing the land to them. They even arranged to sell the land to a local children's charity until Faida managed to intervene at the last minute.

Attempts were made to mediate within the Miteo family and before local traditional community leaders, but to no avail. Instead Timothee and his cousins decided to exploit the women's lack of education and knowledge of their rights. They took the case to the High Court in Goma and asked a judge to undo the will and dispossess the women.

Despite being severely intimidated by the journey and the court process, the women managed – after getting lost in the city and arriving just in time – to get themselves to the court. A court employee saw their plight and gave them the details of Dynamique Des Femmes Juristes (DFJ). DFJ runs seven legal aid clinics mainly for women in the Eastern DRC – “We regularly represent victims of gender-based and sexual violence at the High Court, so we were known by the court's employees,” says Claudine Tsongo of DFJ.

The DFJ took on the women's case and appointed two lawyers who visited their village where they surveyed the property, consulted local community leaders and interviewed members of the family. It also paid transport costs for the women to attend the court in Goma and the court fees of \$220.

“Other women laughed and didn't take Faida and her sisters seriously,” says Claudine. “They didn't think they could ever win their case and were sarcastic with them. They discouraged them and told them to let their brothers work on the land. They thought the sisters' action was useless because they thought that no one would ever side with them.”

Nor was the court process straightforward. In addition to threats to the women, several attempts were made to bribe the judges and lawyers involved in the case and several times hearings were postponed in order to discourage the sisters. Part of DFJ's response was to publicise the case with local NGO groups and others peers to put pressure on the judiciary.

In the end the case was clear-cut. The DRC's constitution and family law gives women equal

rights and the country has ratified the Convention on the Elimination of all Forms Discrimination against Women. The constitution always trumps customary practice. In March 2014, the court declared the brothers' legal action inadmissible and denied them any right to dispossess the women.

DFJ also used the opportunity of working on Faida's case to raise awareness in Buhutu village. “Our paralegals organized sensitization sessions on women's rights to land, inheritance rights and also literacy classes,” says Claudine. “These were primarily for women but we have also been targeting some community leaders and customary chiefs for about a year now.”

The sisters' are among almost 700 women that lawyers and paralegals have represented thanks to the work of DFJ and its law clinics – around half of whom have been victims of sexual violence. Yet DFJ recognises that legal representation alone is not enough to change the status of women in North Kivu. In 2013 of around 5,700 cases of sexual violence recorded by the UN, only 8 per cent were prosecuted.

“There are almost no legal consequences for the perpetrators of sexual crimes,” says Claudine. “Part of this is down to the ignorance of their rights by the women, and the weight of traditional customs. That is why the most important thing we do is



Still from a video created by DFJ to inform women of their rights.

improving knowledge about the laws, women's rights and gender issues."

DFJ outreach campaigns have trained hundreds of traditional leaders, members of the military, the police and community leaders including 131 women and 303 men on various laws protecting the rights of women, laws on sexual violence and legal procedures. These produced signed agreements and action plans from community leaders to work for changed attitudes to sexual and gender-based violence.

DFJ has also held 27 awareness-raising meetings reaching 1,000 rural community members and local and traditional authorities in Goma, Rutshuru, Masisi and Nyiragongo. This was in addition to a campaign of dissemination and sensitization on legal instruments that reached about 8,750 people in schools, universities and the workplace on the rights of women, gender, laws on sexual violence

and gender-based and sexual and reproductive issues.

In the political sphere, DFJ has provided training to strengthen the political knowledge and capacities of 120 grassroots women leaders so they can participate in politics in their local communities. It also coordinated an advocacy initiative with an association of women lawyers for the implementation of the law on gender parity, the revision of the electoral law and the family code - all needed to enhance the political participation of women within national, provincial and local government institutions.

"I am incredibly grateful to DFJ for their support", says Faïda Miteo. "The ruling will make a big difference in my life, and the life of my children - the fields will help pay their school fees, and provide food for my family. Never stop fighting for the rights of forgotten women."

Key Lessons

- 1 You need to build women's capacity and confidence so they can defend themselves, know their rights and advocate for the respect of those rights.
- 2 The involvement of different key stakeholders, such as police, judiciary and traditional leaders in human rights and development work is also crucial - to foster long term social change and ownership by community members.
- 3 Women's access to justice is not enough. We need to advocate for a good justice system, that is to say, a fair and equitable justice for everyone.
- 4 To ensure proper justice for women, it is important to have women in the police or serving as judges, magistrates or in other legal professions. We need a wider feminist perspective to ensure equitable justice for all.
- 5 The protection of victims and witnesses is a paramount obligation to promote the fight against impunity and limit retaliation by perpetrators and other people.
- 6 The involvement of beneficiaries in helping to define solutions and plan actions in the process of developing a project is a huge asset towards ensuring its future credibility, legitimacy and sustainability.