

WE-ACT_x Legal Project:

Legal Advocacy to Promote Health
Advocacy in Rwanda and
the Great Lakes Region of East Africa

Empowerment through legal education and access to justice

- In early 2006, WE-ACTx did a needs assessment survey with its grassroots partner associations. 83% asked for assistance with legal issues.
- Discrimination based on HIV status or being female and gender-based violence were among the leading concerns.
- The groups were also intensely interested in learning what rights the country's 2003 constitution guarantees women and children.

Community Legal Education Workshop June 2006

- As a first step toward integrating legal services into its health and mental health services, WEACTx sponsored a series of eight community legal education workshops for our grassroots partners during June 2006.
- The focus was on the legal rights of Rwandans living with HIV/AIDS.
- The workshops were conducted in the local language, Kinyarwanda, in collaboration with key government ministries, two Rwandan law schools, judges, the Bar Association, and human rights NGOs.

Participants at June 2006 Workshop



Legal Workshop, cont'd.

- Each association selected two representatives to attend the legal workshop, to learn about the legal rights of Rwandans living with HIV/AIDS.
- Participants made a commitment to pass on the information to their fellow association members.
- The role of WE-ACTx was to provide technical assistance and back-up and support and to act as the “glue” for maintaining the collaboration on an on-going basis.

Building Capacity Among Local Legal Advocates

Rwandan law graduates hired by the program, Joseph Mafurebo and Martin Musinguzi, were actively involved in planning the workshops and engaged on-site at all times.



Creation of Dufatanye, The Rwanda Community Law Anti- Discrimination Network

- At the end of the workshops, WE-ACTx's partner groups decided unanimously to form an association for on-going support and resource-sharing for grassroots organizations interested in helping to resolve legal problems for their members and in their communities.
- The non-profit Rwanda Community Law Anti-Discrimination Network-- Dufatanye-- was incorporated.

Follow-up Monitoring

- Through Dufatanye, WE-ACTx brought the partner associations back together again in the fall of 2006 to assess whether and how the summer's legal education was being put to use.
- The response was overwhelmingly positive, with participants sharing anecdotal evidence about how the legal training was making a difference in the support they could provide to their association members and in their communities.

Case Examples

- A fairly common fact pattern involved a woman or child being threatened with eviction from the home when other family members learned of the individual's HIV status.
- Dufatanye members reported frequent (though not total) success in mediating such disputes to prevent HIV patients from becoming homeless.

Case Examples, cont'd.

- Other common fact patterns involved physical abuse against women or children with HIV and intervention by Dufatanye members to attempt to redress violence and prevent it from recurring. Here, too, Dufatanye members felt that they were having significant, though not complete, success.
- During a return visit to Rwanda in early October of this year (2007), additional anecdotal evidence was collected from Dufatanye members.

Dufatanye 2007 Consult



Is Community Legal Education Effective?

- Dufatanye grassroots community leaders opine that community legal education can be effective in Rwanda because the social structure relies to a large extent on respect for authority figures.
- When the 2003 constitution is viewed as the new thinking and social voice of the nation, the message that discrimination and violence against women are not acceptable has a chance to be heard.
- This is particularly so when the “abunzi” (elders who serve as mediators in the traditional court system), police, and other widely recognized leaders or authority figures join with Dufatanye to convey the message.

Significant Challenges Remain

- Significant challenges remain to effectively implementing human rights for WE-ACTx patients.
- One major challenge is the personal, private nature of much domestic and other gender-based violence and the difficulties in implementing effective prevention strategies in the short-term, especially in post-conflict societies.
- Another is lack of access to the courts for the poor. Dufatanye members can only assist to a certain point, as most have neither a law degree much less admission to the Bar.

Challenges Remain, cont'd.

- A particularly tragic case that illustrates both the benefits as well as the significant challenges in the community legal education approach was reported by a young association outreach worker in early October of this year (2007).
 - An HIV-positive woman in the association's community did not disclose her status to her live-in partner. When the man learned he was infected, he confronted the woman, who acknowledged her status. In a rage of retaliation, and possibly because he believed in the myth that virgins can cure HIV, the man raped the woman's five-year old daughter.

Challenges Remain, cont'd.

- The outreach worker encouraged the mother to seek assistance for the child and report the crime. The mother was very resistant, in shock, and concerned about the stigma her child would face.
- The association continued to work with the mother, who eventually agreed to contact the new “Gender Desk Hotline” of the National Police, and the association has supported her and the child through the medical and legal process; a trial is pending.

Challenges Remain, cont'd.

- This horrible tragedy has sparked a much broader conversation and advocacy by this association on preventing and responding to rape and other violence against women and children in this particular community.

Legal Project Handbook

- To institutionalize their positive experiences with community legal education, Dufatanye members asked for support from WE-ACTx to prepare a “know your rights” handbook, a tool for spreading the word to and training others.
- With the assistance of the Rwandan legal experts who had conducted the summer 2006 community legal education workshops, WE-ACTx drafted and provided the “glue” for preparing such a document. The two law graduates, Martin and Joseph, were instrumental with research, analysis, and drafting.

Legal Project Handbook, cont'd.

- The Handbook, called *Know Your Rights! A Community Handbook On Health Care Rights and Other Laws*, has been reviewed by various government ministries and Rwandan legal experts, whose comments and suggestions have been incorporated.
- The draft was presented to Dufatanye in Rwanda in early October of this year (2007), with summaries in Kinyarwanda.

Legal Project Handbook, cont'd.

- Reaction to the handbook from all sectors has been very positive. The breadth of the collaboration, as shown on the next slide, seems to have been key:

Legal Project Partners and Other Stakeholders

WE-ACTx partner associations:

- Abakundanye
- Abizeyimana
- ADPER
- ANSP+ National Solidarity Association of People with HIV
- APIA Tubeho
- AVVAIS (Association of Widows Living with HIV)
- Coeur Joyeux
- Hope after Rape
- Ibereho
- Ibyiza
- Icyuzuzo
- Igihozo
- Inkuge
- New Life
- Reka bukomeze
- Society of Women and AIDS in Africa (SWAA) - Rwanda chapter
- Solidarité
- Sugira
- Ubuzima burahenze
- Urunana
- Uyisenga n'Imanzi

Others:

- Rwanda's National Commission to Fight AIDS (Commission National dans la Lutte Contre le SIDA (CNLS))
- Rwanda's Treatment and Research AIDS Centre (TRAC)
- Rwanda Ministry of Health
- Rwanda Ministry of Justice
- Rwanda Ministry of Gender and Family Promotion
- Reseau Rwandais des Personnes Vivant Avec le VIH (RRP+)
- Society for Women and AIDS in Africa (SWAA-Rwanda)
- Haguruka
- Human Rights First, Rwanda
- Rose Mukantabana
- Danish Center for Human Rights
- Fulbright Program, U.S. Embassy

Translation & Distribution

- The Handbook is now being translated, and we hope to go to print by the end of the year.
- Additional trainings in the capital city, Kigali, and in rural areas would follow.

Handbook Topics

- Fundamental Human Rights
- Voluntary and Confidential HIV/AIDS Information, Counseling and Testing
- The Right to Medical Treatment and Other Services
- The Right To Be Free from Gender-Based Violence
- Rights in Marriage, Consensual Unions, and Polygamy
- Succession
- Wills
- Property Rights

Other Efforts

- Other activities for integrating legal services into WE-ACTx medical and psycho-social programs are underway.
- A Rwandan legal advocate is now located on-site at the WE-ACTx trauma counseling facility. He:
 - Provides legal information, back-up and support to the clinical supervisor and her staff as legal issues arise; and
 - Assists patients in addressing legal issues and enforcing legal rights.

Real-life examples

- A distraught patient tells the WE-ACT_x counselor she is about to be evicted because her landlord has just learned she is HIV positive.
- A depressed teenager with HIV discloses to her WE-ACT_x counselor that she was raped by her teacher. Can the counselor breach confidentiality and report this to the teen's mother? To the school authorities? The police? Is reporting mandated under Rwandan law under these circumstances?

Law School Support

- Formal collaboration with law students at a university legal clinic in Kigali has begun:



Relevance for other countries?

- As the WE-ACTx Legal Project progresses, inquiries from organizations in other African countries for similar assistance, back-up and support are growing.
- It seems the two major limitations on adapting the model to other environments are:
 - Resources; and
 - War and other unstable conditions.
- But these are both limitations that should— that must— have solutions.

WE-ACTx Family Program Psychologist and Peer Counselor



Thank You-- Murakoze