

## **ACCESS TO JUSTICE FOR VICTIMS OF SEXUAL VIOLENCE IN POST CONFLICT SITUATIONS IN AFRICA**

By Laura Nyirinkindi

### **ABSTRACT**

*As national, legal and judicial systems in Africa take on the responsibility for prosecuting international crimes in post-conflict situations, the focus on their competence and commitment to right these wrongs intensifies. Most African states are faced with barriers that range from legal, institutional, social and political, which hinder the fulfilment of their obligation. The result has been a limited or even arguably, complete lack of access to justice for victims of these crimes, particularly those crimes involving sexual violence, whose complexity and the cultural restrictions surrounding them in most African communities present unique challenges to both the state and the victims in the quest for justice in post-conflict contexts. While several African countries have signed and ratified international and legal instruments whose frameworks provide comprehensive structures to address justice for victims of sexual violence, many have not domesticated such instruments in order to make them suitable to their local contexts and enforceable by victims through judicial and other means. Where such steps may have been taken, the political will to prosecute perpetrators of such crimes remains minimal. A number of African states have engaged traditional justice mechanisms as avenues of transitional justice, with the mechanisms based on cultural, patriarchal and societal structures, but here, victims of sexual violence face exclusion and structural and attitudinal barriers to attaining meaningful access to justice.*