

## Gender-Based Violence in Emergencies: Promoting Survivor-Centered Community Justice

### Tip Sheet

This tip sheet summarizes the insights provided during the capacity strengthening webinar “Fostering access to justice for Gender Based Violence (GBV) survivors in emergencies advantages and limitations of community-based resolution mechanisms (CBRMs)”, held on 7 May 2025<sup>1</sup> as part of the [United Nations Women’s Peace and Humanitarian Fund \(WPHF\) Global Learning Hub \(L-HUB\)](#). The L-HUB promotes knowledge sharing between WPHF-supported women’s rights civil society organizations (CSOs) and women human rights defenders (WHRDs) in conflict affected settings. The webinar was facilitated by the [GBV Area of Responsibility \(AoR\) Helpdesk](#)<sup>2</sup>. The tipsheet explores how CBRMs can enable survivors to find justice in emergency contexts when formal justice mechanisms are absent or overwhelmed<sup>3</sup>.

The tipsheet builds upon the contents of [GBV AoR HelpDesk Tip Sheet: What are Community-Based Resolution Mechanisms? How are they used in relation to GBV? And how can survivors be centered when they are used?](#)<sup>4</sup>. The present document aims at highlighting CSOs’ roles as catalysts to foster a survivor-centered approach in CBRMs and bridge gaps between survivors, CRBM members and other institutions.



<sup>1</sup> The session’s recording is available in [English](#), [Dari](#) and [Ukrainian](#) among other languages.

<sup>2</sup> The GBV Helpdesk is a free and confidential technical advisory and research service for humanitarian actors working on GBV risk mitigation, prevention and response at the local, country, regional and global level.

<sup>3</sup> The tipsheet builds upon the contents of a GBV AoR tipsheet which was produced to help individuals and organizations to maintain a survivor-centered approach when supporting GBV survivors who would like to use CBRMs. It also includes contributions from WPHF CSO partners who took actively part in the training session.

<sup>4</sup> This tipsheet authored by Emma Bell (GBV AoR Helpdesk, 2023) is available in [Arabic](#), [English](#), [French](#), and [Spanish](#).

## A. Legal and Structural Obstacles to Justice for GBV Survivors

**Access to justice** is the ability to obtain a just and timely remedy through formal or informal mechanisms. Access to justice is a human right. It is also key to the realization of other human rights, including the right to live free from violence, discrimination and inequality. Access to justice is not only about securing a conviction for a perpetrator. It can offer survivors a chance to heal by providing resolution, demonstrating that what happened to them was wrong, and deter others. It can be empowering for survivors to be listened to.

These are common **challenges** to access safe and reliable justice **in emergency contexts**:

- a) Usual family and social frameworks break down or are weakened. In addition, state actors may be perpetrators of conflict related sexual violence (CRSV)<sup>5</sup> or criminal justice institutions may lack impartiality and independence.
- b) Even when legal frameworks exist, survivors may face barriers due to poor implementation, discriminatory requirements, or restrictive conditions, such as needing to be accompanied by a male relative or a mahram, needing medical evidence, or reporting within narrow timeframes, making justice inaccessible in practice.
- c) Formal reporting pathways may be inaccessible or non-existent - police stations and courts may be destroyed or out of reach due to insecurity, displacement, or lack of resources. Even when services exist, women and girls, especially internally displaced persons (IDPs) and refugees, often face severe mobility, time and financial constraints due to unequal access to household resources and the burden of childcare and domestic work.
- d) Many survivors, especially children and refugees, may lack awareness of their rights or how to navigate justice systems especially in areas with high illiteracy rates.
- e) Survivor-centered justice systems (formal and informal) account for survivors' perspectives, needs and preferences in their design and implementation. When formal justice systems are not set up in a survivor-centered manner they can cause secondary abuse to survivors such as increased harassment from the perpetrator and his family, or their wider community. Survivors may be pressured by their families not to seek justice if abuse is seen to be something shameful, and be threatened of further violence such as the so-called "honor" based crimes. Survivors might find the justice system traumatic, for example, if they are subject to cross-examination from a lawyer who relies on harmful stereotypes about GBV survivors.

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<sup>5</sup> [Conflict-Related Sexual Violence Report of the United Nations Secretary-General \(S/2019/280\)](#)



WPHF CSO partner from Iraq: *“Despite the law on survivors of conflict, impunity continues.”*

## B. Understanding CBRMs’ benefits and limits

### 1. Main characteristics of CBRMs

- CBRMs go by various names in different languages and cultures, such as Sentencing Circles, Village Courts, Women’s Courts, Customary Courts, Community Committees, or Paralegal Groups in English. While they operate outside the formal judiciary, CBRMs often draw on a mix of decision-making sources, including formal legal frameworks, religious teachings, tribal or ethnic customs, and local community norms and values.
- A CBRM usually involves a **third party** meant to be neutral, who can be an individual (tribal leader, elder or community leader with a specific role of authority) or a committee. A CBRM process may involve **mediation** (where a decision is mutually reached between the parties to the dispute, two people or groups with the help of the third party) or **arbitration** (where the third party makes a decision).

### 2. CBRMs can be more accessible, trusted and flexible for GBV survivors than formal justice processes

- a) Informal justice mechanisms are often seen as faster and more affordable than formal systems.
- b) The rules applied by informal justice systems can appear as more easily understood and legitimate than formal laws because they are adapted to the local context. Informal justice mechanisms rules align with community norms about how crimes and “family disputes” are dealt with. These rules often include a focus on reconciliation and restoring community harmony rather than being punitive which can be seen as further destabilizing relationships. When an emergency is related to a conflict, survivors may wish to reinforce their links to their community.
- c) Women may be able to articulate alternative interpretations of the law within community systems, to gain greater rights’ protection than under formal laws. For example, if imprisonment is the only outcome considered, it may not align with what the survivor wants and some survivors may seek alternative forms of justice. As noted by a WPHF CSO partner from DRC: *“The resolution mechanism is more flexible for GBV survivors because in our villages there are committees of elders who sit in terms of community and family councils who use purely local solutions to resolve the issue of GBV and in some areas access to (formal) justice is difficult. Here, we use community mechanisms through the peace huts that we have set up with the local authorities, but there are cases that require access to (formal) justice.”*



In the absence of strong institutions and/or in remote areas, CBRMs may be the only viable option for survivors. Yet, CBRMs do not always provide effective responses to GBV, and may fall short in ensuring access to justice for survivors.

### **3. Without strict safeguards, CBRMs can fail to protect or empower survivors**

- Most CBRMs often assume equal power between parties, an assumption that fails in cases involving survivors and perpetrators of GBV and which exposes survivors to further discrimination.
- Customary norms often privilege male voices and reinforce harmful gender hierarchies. Mediators may side with perpetrators especially in communities where survivor-blaming is common.
- Mediation is frequently misused in GBV cases, particularly intimate partner violence (IPV), where it can perpetuate the abuser's control and escalate harm.
- CBRMs often prioritize family reconciliation over GBV survivors' rights.
- Security, stigma, shame, fear of being excluded, fear of retaliation and lack of privacy are common deterrents of using CBRMs for survivors.
- Community actors may reinforce injustice, sometimes treating survivors more harshly than formal systems would.
- CBRMs must be approached critically as the concept of community is not inherently inclusive and can marginalize survivors based on ethnicity, gender identity, sexual orientation, disability, or other factors, especially in conflict-affected countries. Without intentional inclusivity, CBRMs risk reinforcing discrimination, and deterring marginalized groups such as LGBTQI+ individuals or persons with disabilities from seeking justice.

WPHF CSO partner from Uganda *“In some parts of the country, GBV is normal and ignored, there is bias and power imbalance between men and women. Community mechanisms are all made up of men.”*

WPHF CSO partner from Colombia *“While CBRM may seem supportive, sometimes, survivors feel unnecessarily exposed to their community, which creates greater life-threatening risks”.*

WPHF CSO partner from Sudan: *“The Sudanese community is no longer the same community (as of 2025). We are polarized and divided tribally and ethnically. Therefore, CBRMs do not work anymore.”*

### **D. From advocacy to action: Key steps to embed a survivor centered approach in a CBRM**

Effective justice systems ensure that survivors can access relevant resources, services and supports to safely seek justice as they define it.

### 1) Preparation

- While establishing a new survivor-centered CBRM, for example in refugee camps or during emergencies, CSOs can involve survivors in its co-creation to ensure the system is responsive to their needs.
- If a CBRM is already in place, CSOs can intervene to support survivors to choose their preferred justice system ensuring that survivors who do not want to use a CBRM, or who are not happy with the outcome of the CBRM, can still access formal systems.
- CSOs can also provide survivor-centered **training** on GBV for people involved in CBRMs, including regular follow up and reviews.

### 2) Initial support

- Once a GBV case is reported, CSOs should support survivors by providing information about their rights and legal pathways (formal justice system and/or CBRM) and assisting them in a confidential way.
- **Informed consent** means that survivors have access to clear and relevant information about their options, such as requesting a separate room from their abuser or scheduling the hearing at a convenient time, before any further steps are taken or other people are involved. This will enable survivors to make decisions that are best for them according to their needs and priorities.
- A survivor-centered process should always be guided by the survivor's choices. It must begin only with her consent and can be paused or stopped at any time.

### 3) Ongoing support before and after the judicial ruling

- CSOs play a key role in helping survivors access available services, including medical care, legal assistance, and mental health and psychosocial support (MHPSS).
- CSOs should have clear and written protocols for handling GBV cases, including strict confidentiality measures. If survivors' information must be shared, CSOs should ensure that all actors involved in the CBRM understand the potential risks of disclosure.
- When CBRMs include reparations, CSOs must ensure these are provided in ways that uphold the survivor's dignity and safety, and do not reinforce stigma or place her at further risk. For example, symbolic gestures such as gifts or money should not replace meaningful accountability or justice.

#### 4) During the hearing

- CBRM authorities should be made aware that the hearing process can cause distress to survivors. CSOs can facilitate private consultations between survivors and CBRM authorities prior to any summons or public hearing, enabling authorities to better understand the survivor's circumstances and needs.
- In order to be trusted by both the survivor and the CBRM authority CSOs should invest time to build strong relationships with the chiefs or CRBM authorities in the area. CSOs will use their position in the community to advocate for survivors and support the court when dealing with GBV cases.
- Survivors should be enabled to speak for themselves if they want to, or with assistance from people they choose.
- CSOs should promote attentive listening and trust by CRBM authorities and do not allow survivors to be interrupted during their testimony. This can be done by seating next to the community chief or any CRBM member and advocating for the survivor.
- CSOs should proactively abort the ways that perpetrators may try to use the CBRM to further the abuse of the survivor. For example, it is common for IPV perpetrators to misuse their parental role by using access to children as a means to continue harassing the survivor, even after separation or divorce. Therefore, it is important to ensure that CBRM authorities and survivors are aware of these tactics and consider a range of options such as restricted, supervised access or no access if children are also being abused.
- **Training female community leaders and GBV survivors as paralegals** who can provide basic legal aid and counselling to GBV survivors has also proven successful in certain countries such as the DRC and Vanuatu.

#### 5) Follow up after the hearing

- In a survivor-centered CBRM, the responsibility to the survivor continues even after the case is closed. Regardless of the CBRM outcome, CSOs should follow-up with the survivor to assess whether the response was effective, offer additional support if needed, and ensure accountability on any punishments for the perpetrator (e.g. what should the survivor do if the abuser continues coming to their house).
- CSOs can offer survivors the option to provide anonymous feedback on the case management process, helping to improve services while avoiding retraumatizing them.

#### 6) Risks for CSOs

Women's rights CSOs and other frontline service providers may face backlash or even threats when engaging with CBRMs, as their efforts to promote gender equality and challenge traditional norms are sometimes perceived as undermining cultural values or “corrupting” women, an issue highlighted by a WPHF CSO partner in Palestine. When engaging with CBRMs, CSOs must carefully assess risks related to stigma, social resistance, and prevailing gender norms.

## E. Conclusion

CBRMs can serve as alternatives to formal justice systems. In emergency settings, survivors may prefer engaging with CBRMs due to their accessibility or cultural relevance. However, CBRMs can discriminate against survivors from certain ethnic groups or with disabilities.

It is essential to understand survivors' reasons for choosing CBRMs and to ensure they receive clear and accurate information to make informed decisions. As many CBRMs are currently not survivor-centered, CSOs can play a key role in monitoring how CBRMs function and influencing CBRM authorities to adopt practices that prioritize GBV survivors' safety, confidentiality and dignity. Additionally, CSOs can help connect CBRMs with formal justice systems, ensuring that survivors are not left in informal systems that may reinforce harm and revictimization. CSOs can also offer critical psychosocial support to survivors and raise awareness about women's rights, GBV and available services both for survivors and community members to strengthen prevention and response efforts. CBRMs can backup legal systems at grassroot level. Yet, cultural practices are embedded in how communities respond to GBV, and CBRMs reflect these cultural elements. Hence the importance of critically engaging with cultural norms within CBRMs and ensuring that survivor-centered principles are not compromised by harmful traditional practices. GBV should always be addressed as a violation of survivors' human rights, in both formal and community-based justice.

*WPHF CSO partner from Yemen: CBRM do not give full rights to survivors. Sometimes, we try to see volunteer lawyers to take the survivor to the court, but we cannot always find one. Sometimes, we manage to offer a certain financial compensation to the survivor through a tribal leader. In the Yemeni culture it is acceptable. Sometimes, we don't have the capacity to support the survivor, she abandons her rights halfway through. (...) Women often don't resort to police stations because of fear of stigma, the society will blame her for scandalizing her. We try to sit with the police and the women, this decreases the pressure and stigma. The bravery of survivors needs to be highlighted. CBRMs should not try to fix the justice system. If the courts are not convicting men, we'll use CBRMs. The survivor should have the ability to choose.*





WPHF CSO partner from Uganda: *To avoid corruption of police or formal judiciary entities, we have worked with the clan leadership that is respected in the community. We have launched a forum with a chief of the clan and the paralegals who are attached to each kingdom. The judiciary system respects the “kingdoms”, a recognized traditional authority that plays a significant ceremonial and cultural role in the Ugandan society. Chieftdom is more effective than police or the court. We have seen that CBRMs rarely give survivors their full right justice, however, it is up to the choice of the survivor.”*

WPHF CSO partner from Colombia: *Our organization focuses on the phase before and after the judicial ruling, especially for psychosocial support. If the police do not recognize that it is a crime because the survivor is a minor, we work on convincing men in the family to support the survivor, especially friends and children.*

## F. Resources

- Annotated Bibliography: Review of Technical Resources on Honor-Based Abuse in the Middle East and North Africa Region. GVB AoR Helpdesk (2024), available in [English](#)
- Learning Brief: Improving Justice Systems for GBV Survivors through Survivor-Centered Processes. GBV AoR Helpdesk (2023), available in [English](#).
- Strengthening Access to Justice for GBV Survivors in Emergencies. GBV AoR Helpdesk (2020), available in [English](#).
- Tipsheet What does survivor-centered mean in GBViE program implementation?. GBV AoR Helpdesk (2022), available in [Arabic](#), [English](#), [French](#), [Spanish](#), [Ukrainian](#).
- Tip Sheet: What are Community-Based Resolution Mechanisms? How are they used in relation to Gender-Based Violence? And how can survivors be centered when they are used? Emma Bell. GBV AoR Helpdesk (2023), available in [Arabic](#), [English](#), [French](#), and [Spanish](#).
- Whose justice, whose alternative? Brian Heilman and others (Beyond Borders, Center for Domestic Violence Prevention-CEDOVIP), and ICRW (2016) available in [English](#).