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States: Use ICC System to Eliminate Grave Crimes against Women

Prosecution of sexual and gender-based crimes must begin at national level, says civil society on International Day for the Elimination of Violence against Women

New York/The Hague—States should take greater steps to eliminate violence against women and girls in conflict by joining the International Criminal Court (ICC) as well as prosecuting perpetrators of sexual and gender-based crimes at the national level, the Coalition for the ICC said today.

Marked around the world today, the International Day for the Elimination of Violence against Women brings into sharp focus the work of the ICC to end impunity for sexual and gender-based crimes, as well as the urgent need to restore victims' dignity and provide them with redress, empowering them to be key actors in peace-building efforts and assume societal leadership roles.

The Rome Statute's provisions targeting sexual crimes represent a historic advance for international justice. It is one of the first international treaties to extensively address gender-based crimes as crimes against humanity, war crimes, and in some instances, genocide. Specifically, it recognizes rape, sexual slavery, forced prostitution, forced pregnancy, forced sterilizations, gender-based persecutions, trafficking of persons particularly women and children, and sexual violence as among the most serious crimes of concern to the international community as a whole.

The Coalition has called on states at this week's annual meeting of ICC members, the Assembly of States Parties (ASP), to stay focused on improving the delivery of meaningful justice to the most vulnerable victims of grave crimes through the ICC and Rome Statute system. The Assembly held a dedicated debate on victims for the first time last Friday, where governments, civil society, the Trust Fund for Victims (TVF) and other stakeholders reaffirmed the importance of the victims' in the Rome Statute system. Women and girls are particularly affected by conflict-related crimes. Read the [recommendations](#) of the Coalition's Gender Justice team to ASP 12.

By ratifying the Rome Statute – the Court's founding treaty – and implementing its landmark gender provisions domestically, states can ensure greater protection of women's rights and justice for grave gender-based crimes are guaranteed at both national and international levels.

In June this year, the Coalition [welcomed](#) the United Nations Security Council Resolution 2106, adopted unanimously following an open debate on sexual violence in conflict, which recognizes the centrality of ending impunity for the prevention of sexual and gender-based violence in conflict and encourages states to strengthen accountability efforts.

Another notable initiative aimed at towards eliminating violence against women is the United Kingdom's [Preventing Sexual Violence in Conflict Initiative](#) which aims to strengthen international efforts to respond to sexual violence in conflict, and has been instrumental in bringing the issue to the attention of the international community. The UK has also spearheaded an important initiative to help standardize the documentation of sexual and gender-based violence.

The creation of the network of "regional champions" on sexual violence in conflict – made up of 20 foreign ministers and heads of state – was another important development this year. The "regional champions" play a key role supporting the implementation of the UN Declaration of Commitment to End Sexual Violence in Conflict and have contributed to broader efforts to eradicate sexual violence in conflict on the national, regional and international levels.

The Coalition also looks forward to the ICC prosecutor's new policy on investigating and

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prosecuting sexual and gender-based crimes, which is expected to be finished and implemented in the coming year.

Civil society around the world remains committed to continuing the tireless efforts to ensure that violence and persecution of women in times of conflict are treated as the serious criminal and humanitarian law violations that they are.

Coalition member statements in honor of the International Day for the Elimination of Violence against Women

In honor of the International Day of Elimination of violence against Women, I would like to recall the unique and visionary approach of the Rome Statute to advance gender justice by identifying crimes against women as crimes against humanity, war crimes, and in some cases, genocide allowing thus the vital inclusion of gender-based crimes within the jurisdiction of the Court as well as an effective protection of the victims of these crimes. In light of those elements, I would like to call on states to achieve universal ratification and domestic implementation of the Rome Statute as a necessary step to prevent and prosecute major crimes against women, to provide for an increased protection of victims of gender-based violence, to enhance their access to justice and to advance gender equality." **MP Minou Tavarez Mirabal (Dominican Republic), member of the International Council of Parliamentarian for Global Action.**

"The International Day for the Elimination of Violence against Women is a day of reflection for States Parties of the Rome Statute of the ICC on how far they have protected women and girls from perpetrators of gender-based crimes. Shielding and protecting perpetrators from arrest, prosecution and punishment on any grounds re-victimizes the victims of these crimes and perpetuates the injustice on them. Allegations of the ICC targeting Africa will only make sense if those indicted are proved to have been falsely accused. The only way to do this is to allow the law to take its full course. The genuinely innocent will be vindicated. The ultimate goal of the States Parties should be justice for victims of violence against women". **Oby Nwankwo, Executive Director, Civil Resource Development and Documentation Centre**

"In the engagement of the ICC with victims and affected communities, dedicated outreach must be provided to vulnerable groups such as women and girls victims of gender based violence. Their victimization often persists also when they return to their communities, where they are frequently further marginalized as a result of the crimes they have suffered. Redirecting the stigma of the criminal act to the perpetrators, where it should be, and redefining victims as rights holders before the ICC and in their day-to-day lives is an important function of ICC outreach activities about the nature of the crimes committed, their gravity and the proceedings taking place at the Court." **Alison Smith, Legal Counsel and Director of the International Criminal Justice Program, No Peace Without Justice**

"The violence against women, the brutality against their bodies and souls must stop. The pain permeates families, it permeates societies. It wounds humankind. Most of all, the blows, the invasions cut through the core of a woman's life, of her self-understanding. It cuts through the core of her sisters, through the core of all who can see. May the ICC end the blindness towards this pain. May law everywhere embrace the dignity of *all* human beings. May law *everywhere* prevent the cruelty and do whatever it can to help healing." **Jutta Bertram-Nothnagel, Director of the Relations with Intergovernmental Organizations, Union Internationale des Avocats**

"Girls and women are considered particularly vulnerable to human rights violations in general, and, in particular, in the context of conflict and violence. UN Security Council Resolutions on women, peace and security in the last decade have given due emphasis to the horrendous phenomenon of sexual violence in situation of armed conflict and stressed the absolute need to end impunity of such crimes. The ICTY and ICTR have played an important role in addressing gender-based crimes. The ICC, as the only permanent international criminal tribunal is a crucial instrument to continue this fight." **Lydia Vicente Márquez, Executive**

**Director, Rights International**

"The ICC has an important role to play in recognizing the specific and multi-faceted harms suffered by victims of sexual violence in the context of ongoing and future cases. However, the ICC is not and cannot be the sole avenue to address the rights and needs of these vulnerable victims. States have a responsibility to remove the barriers that currently impede survivors of sexual violence from accessing justice domestically and to address the structural forms of discrimination that lead to the crimes in the first place." **Carla Ferstman, Director, REDRESS, London.**

"Widows of all ages, in many countries are victims of physical, psychological, and sexual violence, and may even be killed, or severely and irrevocably disabled and injured through harmful traditional practices. It is time to lift the blanket of invisibility on this deeply hidden form of VAWG, and ensure that widows are protected from such treatment, and those responsible made accountable." **Margaret Owen OBE, Director, Widows for Peace through Democracy**

BACKGROUND: The ICC is the world's first permanent international court to prosecute war crimes, crimes against humanity, and genocide. Central to the Court's mandate is the principle of complementarity, which holds that the Court will only intervene if national legal systems are unwilling or unable to investigate and prosecute perpetrators of genocide, crimes against humanity and war crimes.

The Coalition for the International Criminal Court is a global network of civil society organizations in 150 countries working in partnership to strengthen international cooperation with the ICC; ensure that the Court is fair, effective and independent; make justice both visible and universal; and advance stronger national laws that deliver justice to victims of war crimes, crimes against humanity and genocide. For more information, visit: www.coalitionfortheicc.org