



Victims of Sexual Violence & the ICC

The ICC sets important new precedents: it explicitly defines many forms of sexual violence as atrocities, and it carefully takes into account the special needs of survivors of sexual violence.

Criminalization of Sexual Violence Under the ICC

Sexual violence is known to be a tactic of war and intimidation, but only now are these crimes explicitly, permanently, and enforceably outlawed.

- The definitions of war crimes and crimes against humanity explicitly outlaw many acts of systematic sexual violence: rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, and other acts of similar gravity.
- Rape and sexual violence can also be prosecuted as acts of genocide, as can preventing women in a certain group from having children.
- The ICC can also be used to fight the trafficking of women, which is explicitly included as a crime against humanity.

Protection for Women Under the ICC

Victims of sexual violence have undergone enough suffering already, so the ICC includes extensive provisions to avoid re-traumatizing victims and witnesses who take the difficult step of seeking justice.

- Victims and witnesses of sexual violence may testify in closed hearings or through special means to protect their privacy.
- They can also have a special helper (such as a psychologist or family member) present while giving testimony.
- The Victims and Witnesses Unit will include experts on trauma related to sexual violence. These experts will be available to counsel victims and advocate appropriate treatment in the courtroom.
- Victims of sexual violence will not be "put on trial" when they give testimony, and their privacy will be protected.
- The confidentiality of victims and witnesses will be protected throughout the proceedings and in published court documents.
- Victims do not need corroboration to prove crimes of sexual violence, and their personal sexual conduct cannot be considered as evidence.
- The definition of "consent" in cases of sexual violence is strictly limited to protect victims.
- Judges must prevent the harassment or intimidation of victims and witnesses during questioning, particularly in cases of sexual violence.

Gender and Staffing at the ICC

To ensure that gender crimes are not ignored, the Office of the Prosecutor will include legal experts on sexual violence. Some of the judges have experience prosecuting gender crimes, and the Victims and Witnesses Unit will include counselors and support staff with expertise in crimes of sexual violence.

The ICC has more female judges than any prior international court: seven of the first 18 judges are women. The Prosecutor and the Registrar will also strive for gender balance as they hire their staff.