

Gender Issues in International Criminal Justice Workshop of the International Criminal Law Working Group Sala Europa, 22 February 2011 (10.00 – 18.00)

Background: The role of gender in international criminal justice is evolving. International concern with the mainstreaming of gender has been explicitly reflected in the Statute of the International Criminal Court, in its institutional framework, where a gender and regionally balanced staff is envisaged to implement its work, in defining sexual and gender violence, guiding the work of the Prosecutor, who is encouraged to appoint external expert advisors on sexual and gender violence, in requiring appropriate measures during investigation and trial where sexual or gender based violence is under consideration and in conceptualizing reparations for the victims of these crimes. The ICC has also had to deal with other emerging realities of conflict, including the use of children in the theatre of war, encouraging comparative reflection with sexual and gender crimes. This workshop seeks to address these issues but also to engage with gender dimensions that predate and extend beyond the ICC, by considering gender dimensions of modern conflict, including the gender dimensions of counter terrorism measures and the role of private actors in the commission of gender and sexual violence.

Concept: This workshop seeks to provide a discursive environment between experts and the EUI research community on the standards, aspirations and limitations of international criminal justice mechanisms to mainstream gender justice. Speakers are asked to reflect on these issues in their presentations, which should last for no more than 30 minutes, and to provide in advance, one brief document that will complement their presentation.

Readings will be available in advance to participants.

To register please reply by email to:

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For further information please contact:

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PROGRAMME

1000 – 1130 Opening Session: Incorporating Gender Equality into International Criminal Justice Institutions

- Welcome greetings by the International Criminal Law Working Group and introductions from participants
- Louise Chappell, University of New South Wales: *The Impact of Gender Balanced Chambers on the ICC's Justice Model*
- Susan Greijer, Researcher, EUI: *Comparative analysis of ICL responses to sex crimes and child recruitment*

1130- 1150 Coffee Break

1150 – 1300 Gender Dimensions in Modern Conflicts

- Martin Scheinin, Professor of Public International Law, EUI: *Gender Dimension of Counter Terrorism Measures*
- Francesco Francioni, Professor of International Law and Human Rights, EUI: *Private Military Contractors and the Rights of Women in Conflict and Post Conflict Situations*

1300 – 1400 Lunch

1400 – 1500 Reparations for International Gender Crimes

- Ruth Rubio Marin, Professor of Public Comparative Law, EUI: *Reparations for Women Subjected to Violence: A Conceptual Framework*

1500- 1700 Defining International Sex Crimes through adjudication at International Criminal Tribunals (joint session with EUI seminar, *Adjudicatory and Law-Making Powers of International Organisations*)

- Morten Bergsmo, Senior Research Fellow, University of Oslo: *Rule-making through the exercise of judicial powers by international criminal tribunals – defining international sex crimes*

1700 – 1720 Coffee break

1720 – 1820 Roundtable and Closing Comments

2000 Dinner for speakers and invited researchers, venue to be confirmed

BACKGROUND READING

Louise Chappell:

- Louise Chappell, 'Gender and Judging at the International Criminal Court' 6 *Politics and Gender* (2010) 484-495.

Susanna Greijer:

- Rachel Brett, 'Girl Soldiers: Challenging the Assumptions', Quaker United Nations Office, November 2002

Martin Scheinin:

- *Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism*, Section 3: A Gender Perspective on Countering Terrorism

Ruth Rubio Marin:

- *Report of the Special Rapporteur on violence against women, its causes and consequences*, Section 3: Reparations.

Morten Bergsmo:

- Anne-Marie de Brouwer, 'Gacumbitsi Judgement' in G. Sluiter & A. Klip (Eds.), *Annotated Leading Cases of International Criminal Tribunals: The International Criminal Tribunal for Rwanda* (Antwerp - Oxford - Portland: Intersentia, 2005-2006) 583-594.

BIOGRAPHIES

Morten Bergsmo, Fernand Braudel Senior Fellow, EUI: Morten Bergsmo is Visiting Professor of Law, Georgetown University; Visiting Fellow, Stanford University; Researcher, University of Oslo, Faculty of Law; and ICC Consultant and Co-ordinator of the ICC Legal Tools Project. He was formerly Visiting Scholar, UC Berkeley (2010 Spring); Senior Researcher, PRIO (2006-09); Special Adviser to the Office of the Director of Public Prosecution of Norway (2007-08); Senior Legal Adviser and Chief of the Legal Advisory Section, ICC Office of the Prosecutor (2002-05); Co-ordinator of the establishment of the ICC Office of the Prosecutor (2002-03); Legal Adviser, ICTY (1994-2002); and Legal Adviser, UN Commission of Experts for the Former Yugoslavia established pursuant to Security Council resolution 780(1992) (1993-94). He represented the ICTY to the UN negotiation process to establish the ICC (1996-2002).

Louise Chappell, AEUIFAI Australian Fellow, EUI: Louise is a political scientist who currently holds an Australian Research Council Future Fellow in the School of Social Sciences and International Studies at the University of New South Wales, Sydney. Her current research includes a project on the implementation of the gender provisions of the Rome Statute as well as international collaborative research projects on rethinking political institutions: integrating gender and neo-institutionalist perspectives. Louise has held visiting positions at the Universities of Leiden and Manchester and in 2005 held the Ruth Wynn Woodward Chair in Women's Studies at Simon Fraser University, Vancouver.

Francesco Francioni, Professor of International Law and Human Rights, EUI: Chair of International Law (Professore Ordinario), Siena Law Faculty (1980-2003) Member of the *Institut de Droit International*, General Editor of the Italian Ybk of International Law and member of the Board of Editors of the European Journal of International Law. He is the Scientific Director of the EU FP/7 Priv-war on the role of human rights and international humanitarian law in the regulation of private military companies. Together with prof. N. Ronzitti, he has co-authored and co-edited the book *War by Contract*, published by Oxford University Press in January 2011.

Susanna Greijer, Researcher, Department of Law, EUI: Susanna has a Master's Degree in International Affairs from Sciences Po Paris and is currently a PhD researcher in international law at the EUI. Her research focuses on accountability for recruitment and use of children in armed conflict. She has been a guest lecturer on International Humanitarian Law and Human Rights, as well as on the topic of Children and Armed Conflict, at the International Institute of Humanitarian Law, the NATO School, the Italian Red Cross and Pisa University. She has worked as a research assistant for UNICEF Innocenti Research Center.

Ruth Rubio Marin, Professor of Public Comparative Law, EUI: Appointed in September 2008, contract renewable in September 2013. Born in Sevilla, Spain. Degree in Law, University of Seville (1992) and PhD. in Law from the EUI, 1997. Before joining the Institute: Professor of Constitutional Law at the University of Seville, Spain and member of the Hauser Global Law School, NYU.

Martin Scheinin, Professor of Public International Law, EUI: Martin Scheinin is Professor of Public International Law at the European University Institute, and an expert of international law, human rights and constitutional law. He serves as United Nations Special Rapporteur on human rights and counter-terrorism (2005-2011). He was selected for this position after serving for eight years (1997-2004) as member of the United Nations Human Rights Committee, the independent expert body monitoring states' compliance with the International Covenant on Civil and Political Rights.