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A sustainable model for responding to conflict-related sexual violence in Ukraine

Presenting the Ukrainian Prosecutor General's conflict-related sexual violence strategy and discussing its transformative potential to enhance access to justice

Side-event at the 21st session of the Assembly of States Parties (ASP) to the Rome Statute

Concept Note

Event: Panel discussion, side-event to the 21st Session of the ASP

Location: Room "Europe 1 & 2", World Forum Convention Centre, The Hague; and online through Zoom (link will be shared at the event)

Date: Wednesday, 7 December 2022

Time: Lunch session (13:15-14:45); *A light lunch will be offered.*

Audience: Participants of the ASP including state officials and the diplomatic community, representatives of international institutions, representatives of civil society

Interpretation: Ukrainian – English, through Zoom

NB: Please bring a personal device (laptop/phone) on which you can log into Zoom and headset/earphones to be able to listen to the interpretation.

Background:

Russia's attack on Ukraine since February 2014 has followed a pattern similar to other conflicts throughout world history: sexual violence has been deployed in a brutal and deliberate fashion, with an increasing number of civilians subjected to conflict-related sexual violence ('CRSV'). Widely reported incidents involve allegations of repeated rape, gang rape, rape of children and a raft of other forms of sexual violence. These violations may amount to crimes against humanity and war crimes, and potentially acts of genocide.

For reasons that have been well-documented, victims of sexual violence in Ukraine remain reluctant to report, to Ukrainian and international authorities. Recognizing the need for systemic changes to enable access to meaningful justice for victims in a safe and supportive environment, in October of this year the Ukrainian Office of the Prosecutor General (OPG) adopted a collaborative, multi-sectoral 'Victim and Witness-Oriented strategy for the prosecution of CRSV crimes'. This strategy seeks to be a first step to achieving accountability for CRSV at the national level, and could effectively transform how all sexual violence cases are investigated and prosecuted across Ukraine in the future.

This side-event focuses on the centrality of locally owned solutions to ending sexual violence – wherever and whenever it might occur, in peacetime or in conflict – and how international practices and standards may be helpful in that regard. In doing so, the discussions will focus on:

- The need for multi-disciplinary, collaborative efforts in investigating, prosecuting, and supporting victims in sexual violence cases;
- The importance of community engagement and effective messaging by relevant actors to encourage reporting, and to end the stigma and negative stereotyping that surrounds sexual violence and to overcome the patriarchal, social norms that normalize and legitimize sexual violence;
- A presentation of the Ukrainian OPG's new CRSV strategy. The OPG's model is designed to be locally owned, locally sustained, and serve as an effective means to incorporate international standards into domestic law, practice and jurisprudence.
- The context within which sexual violence in Ukraine is perpetrated;
- The importance of local understanding, input, and ownership in all aspects of this CRSV strategy, including by empowering survivor activists and understanding the central role of civil society in these efforts;
- Survivors of sexual violence may refuse to testify for many reasons, including the fear that they will not be believed. Broad-based training for police forces on gender-sensitive, victim-centred practices in investigations and interviewing are important to allay those fears, and result in more effective investigations;
- In closing, each panelist will offer their views on what justice and accountability for sexual violence can look like within the Ukrainian system.

Speakers:

13:15 – 13:20 Introduction and welcoming remarks

H.E. Henk-Cor van der Kwast, Ambassador of the Kingdom of The Netherlands

13:20 – 13:25 Video message

Iryna Dovgan, Survivor activist and Coordinator of SEMA Ukraine (Network of Victims and Survivors of Wartime Sexual Violence)

13:25-13:35 Presentation of the Ukrainian Prosecutor General's 'Victim and Witness-Orientated strategy for the prosecution of CRSV crimes'

Iryna Didenko, Head of the Specialised CRSV Unit, War Crimes Department of the Ukrainian Office of the Prosecutor General

13:35-14:20 Panel

Hrystyna Kit, Chairwoman of the Association of Women's Lawyers of Ukraine "JurFem"

Kateryna Cherepakha, President of the CSO "La Strada-Ukraine"

Anna Mykytenko, Country Manager – Ukraine, Global Rights Compliance

Carolyn Edgerton, Legal consultant and mentor, former ICTY Trial Attorney

Kim Thuy Seelinger, Special Adviser to the ICC Prosecutor on Sexual Violence in Conflict

Moderated by Alix Vuillemin, Advocacy Director, Women's Initiatives for Gender Justice

14:20-14:35 Questions from the audience

14:35-14:45 Concluding remarks

Andrew Murdoch, Legal Director of the UK Foreign Commonwealth & Development Office