

# CLOSING REMARKS

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## Gender and International Criminal Law

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16 - 17 January 2024

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17 January 2024

Welcome to the close of this wonderful, and I would suggest, historical gathering; not only for you, who are here physically, but for all our online colleagues. You have come to understand gender and international criminal law through the book, and through the importance of having a Gender Hub. I will not and truthfully cannot succinctly resume, repeat, nor analyse the conceptual richness of ideas and topics that we have offered each other during the past two days. We have pondered, expressed, re-examined, I hope, our practices, our advocacy, our scholarship, the ways that we are related to gender-based international crimes, and importantly, how we are related to the pursuit of justice. In doing so, I would say that we have re-examined ourselves. And it's about time.

Considerations that once sat on the edge, are edging toward the centre. We can now question gender competent institutional building. We can question why there is no hub for continual education and mutual exchange among practitioners. We can look at that journey of « standoff » to of « cooperative partnerships » between civil society and judicial actors. We are beginning to arrive at the point where diverse genders and diverse sexes equal being human. Where being human is to be gendered and to be sexed in all of its diversity. Those aspects are just one or two among the many life intersections that we carry within us.

Most importantly, we witnessed here, and we will continue to witness the trajectories of survivor communities, traverse from being survivors to activists, to communities of expertise.

They are emerging and merging as part of the central organizing pole of gender and international criminal law. Survivor communities such as in Colombia, are actually restructuring patriarchal injustice, into justice. This conference also has served up quandaries and revealed some of our pernicious conflicts, whether they are institutional or cultural. There is always that proverbial lack of political will, and that failure to attribute a budget. All the manifestations of these lacks are what we continue to work with and work against.

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It has surfaced, to use the wonderful gift of the verb of Rhonda Copeland, that we are dealing with powerful structures, that are such anti-gender, which means that they are anti-human.

Usually at feminist conferences, especially at law conferences, someone with good intentions will quote from Audrey Lorde, about not being able to build the master's house with the master's tools. It is taken to mean that you cannot correct law by more law. However, what Lorde really meant, if you read her work closely, is that the master uses tools; tools of racism, homophobia, patriarchy, and that those « master tools » cannot be deployed to build a future. We should also describe the master's tools of ageism, geographical location, religion, transphobia, caste, ethnicity, ableism, economic status, colonialism and any other isms that weaken us. That take us away from concretizing gender as the fully protected and respect for our humanity.

Surely, we need hindsight. We need clear eyesight, and we need foresight. This is a pretty ironic analogy for me to use, having just learned I have a conjunctivitis. Nevertheless, I will talk about vision.

We have to be cognizant of ancestors, of our being alive today, and of our descendants. So, for our ancestors, we have to peer into the past and when necessary, we should relive that past including past atrocities with renewed eyes. We have to look at the Comfort Women in their eyes. We have to look at Indigenous slavery in the Americas.

We have to understand the afterlives of colonialism, and its continual grasp on international criminal law. For us here today, we must be fully conscious. In a non-hierarchical manner, we have to see everyone else's humanity, including our own. We have to recognize that our own positionality could hinder the struggle or enhance the solution. Alas, we do have to struggle and struggle to do what? We must struggle to make alliances, to give refuge, to set up shelters, to have concerned and learned communities, and collectivities - even amid our differences, and our different positionality, and maybe because of them. Forensic analysts with whom I have worked, always tell me that there is one basic principle; and that is, when two objects rub up against each other and have enough friction, they leave a little of each other on the other object. We grow. Our growth deepens by us being in a practice of community and rubbing up against each other. This conference has given us that community, irrespective of who we are, where we come from, geographically, mentally, or historically, or professionally. It has allowed a friction that is fruitful. It is a comfort in the long run. For our descendants, we need foresight. We need to be able to imagine, to reimagine, as the last panel intoned. And, we need to be able to aspire.

Let there be and let there always be peace. However, let there be justice and redress where we failed to prevent atrocities, in particularly the international crimes. We must commit to envisioning the future for our descendants. If not, you will be blindsided. And you will be blindsided by the very tools that Audrey Lorde has asked you to renounce.

Thank you very much.

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