



INTERNATIONAL COMMISSION OF JURISTS

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**United Nations Human Rights Council
20th Regular Session, 18 June – 6 July 2012
Agenda Item 3**

ICJ Oral Statement in the Plenary Panel on remedies and reparations for women who have been subjected to violence, during the Annual Full-Day Discussion on Women's Human Rights

25 June 2012

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Madam President, Distinguished Panellists,

The International Commission of Jurists warmly welcomes the focus of today's panel and congratulates the Special Rapporteur on violence against women on her related report and ongoing work to ensure the topic of effective and appropriate remedies, including reparations, is front and centre of discussions on violence against women.

The obligation on States to ensure that women whose rights are impaired by violence have access to an effective remedy, including reparation, is a fundamental requirement of rule of law principles and basic tenet of international human rights law. Nevertheless throughout the world, women's access to remedies and reparations when they have been subjected to violence falls significantly short of international requirements and remains illusive and unfulfilled.

There are a number of crosscutting reasons why justice systems are failing women in this way and why the forms of reparations available to them are not adequate or appropriate.

- Administrative, civil and criminal remedial procedures are often neither victim-centred or gender-sensitive.
- Justice system responses to violence against women are replete with gender stereotypes.
- Justice sector personnel, including judges, prosecutors, police officials and legal-aid professionals often do not properly investigate violence against women or assist women in accessing available reparations.
- Women are under-represented in the justice sector are not adequately represented at decision-making levels and are not sufficiently integrated into law-making, justice-sector reform or institution-building processes.
- Women face significant practical obstacles, including lack of information and legal advice and serious financial barriers.

Distinguished Panellists,

In identifying measures to address these problems:

- How can transformative reparations, and particularly measures of non-repetition, provide a mechanism to address and eradicate the manifestation of gender stereotypes within justice systems?
- How crucial for the realization of the right to transformative reparations is the participation of women, and particularly representatives of marginalized groups of women, in the justice system and in the law-making sector?

I thank you.

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