

AFLA-ASP Side Event

Gender Diversity and the Rome Statute System (co-hosted by Australia, Uganda, International Gender Champions Den Haag and Africa Legal Aid (AFLA))

6 December 2022

13:15 – 14:45hrs in the Oceania Room, World Forum

REMARKS BY ICC PRESIDENT

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Excellencies,
Ladies and Gentlemen,

It is a pleasure to be here and I would like to thank Africa Legal Aid and the Embassies of Australia and Uganda for their invitation and the organisation of this event.

I was asked to provide some reflections on the importance of gender diversity in international criminal law, and I am happy to do so.

Let me state at the outset that I will discuss gender equality as much as gender diversity, because I see the concepts as being inseparable connected to each other.

So: why does gender equality matter in international criminal law? Well, quite simply because it matters for all aspects of society. And the law certainly cannot be an exception. The law, and courts, by definition, must treat all persons equally.

Indeed, gender equality and diversity are critical for the ICC's **legitimacy** and **impact**.

Let me give some concrete examples on why having gender diversity in all parts of the ICC's workforce makes our court a better court.

1. First of all, a gender diverse workforce, in an organisation that respects people's differences and promotes gender equality, is more likely to be a

healthy workforce, where the staff feel safe and appreciated, and can therefore perform better and enjoy a rewarding professional life.

2. Secondly: women and me have different experiences and backgrounds, and consequently they may have different perspectives on some issues, and help draw attention to matters that might otherwise go unnoticed in a non-diverse workplace.
3. Thirdly: Diversity increases external perceptions of fairness – and helps enhance the impact of what we do.
4. Fourthly: diversity will help us be more sensitive to victims' needs. Women make up a considerable proportion of the victims of the crimes under the Court's jurisdiction, and it is critical that we provide a gender balanced perspective in addressing crimes committed against them.
5. And fifth: Particularly in addressing gender-based violence, it is critical that the ICC shows that we ourselves are committed to the values of equality and fairness.

So, there are good reasons to strive toward full gender equality and rich diversity.

Everyone involved in the system should participate in this endeavour and genuinely contribute to it. By everyone, I mean women and men. I do not think we can ever achieve real gender equality if we treat it as a women's issue.

And, I stress again, a gender diverse workplace, with an equal treatment of the sexes, is a better workplace for everyone.

Those in a leadership position bear particular responsibility for addressing inequality.

It is not enough that we as individuals abide by the correct principles, as important as that is. We must actively promote those principles within our spheres of influence, in order to make equality and gender diversity a concrete reality.

To move forward, we must transform aspirations and statements into policies and actions.

This is one of the key reasons why the ICC has adopted a Strategy on Gender Equality and Workplace Culture. The Strategy will be launched on Thursday this week at a side event here at the ASP.

Gender parity and a safe and inclusive workplace culture will be some of the key areas the Strategy focuses on. Gender diversity will obviously feature strongly in it.

This new Strategy is the result of the ICC's commitment to catalyse tangible progress towards gender equality during the UN Decade of Action (2020-2030). It also reflects the joint commitment of the ICC's senior management as International Gender Champions.

The new Strategy is an ambitious document, with concrete components, timelines and reporting mechanisms. I invite you all to join the launch event on Thursday evening to find out more about it.

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Excellencies,

Ladies and gentlemen:

In the landscape of international courts, the ICC has in many ways been progressive when it comes to gender equality and women's participation in leadership.

The ICC was probably the first international court with a majority of female judges: for several years, our bench consisted of 11 women and 7 men. Today, we have equal numbers of 9 male and 9 female judges.

The Court has had female leadership at the very highest levels; including the positions of President, Prosecutor, and Registrar. An example today includes Judge Luz Ibáñez Carranza, who serves as First Vice-President of the Court.

But we should not have a sense of complacency by such notions of progress in comparative terms. Gender parity cannot be taken for granted. We need to work hard to preserve the progress achieved, and to break new ground.

At the ICC, for instance, we have good overall gender balance among staff, but on closer inspection, it becomes apparent that the percentage of women shrinks the higher up you go in the levels of seniority. We must find ways to address this. To achieve change, we must take resolute action, even when it is challenging.

The ICC's current leadership has taken significant steps already before the new Strategy that we are launching this week. Most importantly, we created last year a Focal Point for Gender Equality at the Court. The Focal Point's principal role is to provide support to the Principals in strengthening gender equality, through efforts such as advocacy, counselling, training programs, and so forth. And the first Focal Point indeed played a key role in the drafting of the new Strategy.

Excellencies,

Ladies and gentlemen:

Once more, let me be clear: gender equality is crucial for the well-being of society as a whole, and gender diversity is a source of strength and richness for any institution, but particularly for a court that must serve all people equally.

Thank you for your attention.

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