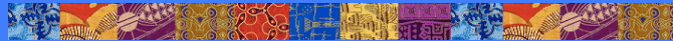


gender justice

Rights and the Rome Statute

Women's Initiatives for Gender Justice



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The International Criminal Court - Victims' Participation

Who is a Victim ?

The International Treaty creating the International Criminal Court (ICC) - the Rome Statute - recognizes a victim as anyone who has suffered harm as a result of the commission of any crime within the jurisdiction of the Court – that is any crime within the definitions of genocide, war crimes, and crimes against humanity.

Victims have the right to participate

Victims of these crimes have the right to participate in the Court process when their personal interests are affected. This helps ensure that their views and concerns are taken into account by the Court. Victims may be able to participate at all stages of the Court proceedings - before and during an investigation, and during charging, trial, sentencing, appeal and reparations processes. The Court is required to keep victims informed of the progress of the investigations and prosecutions in which they have expressed an interest. The Court must make sure that the interests and particular needs of victims of sexual violence, and violence against children, are taken into account at every stage of the Court process.

How can victims participate in the ICC ?

To participate, victims must apply in writing to the ICC requesting the opportunity to express their concerns directly to the Court. The Judges of the Court decide

whether or not victims can have their views heard, and the most appropriate way for victims to participate. This could include reading a statement in the Court; having their legal representative raise concerns if the Court fails to adequately investigate crimes, querying why certain charges have not been laid; or questioning witnesses, experts and the accused.

Who Represents Victims' interests?

Victims are free to choose their own legal representative. A legal representative may be a lawyer from the victim's community or country, a lawyer working with a local or international NGO, a private lawyer, or a lawyer suggested by the Court. All legal representatives must be suitably qualified, fluent in one of the working languages of the Court (English or French), and be on the ICC list of counsel authorized to act before the Court. To be added to this list, lawyers must apply to the ICC and meet certain criteria in relation to their legal competence.

It is important that a victim trusts their lawyer and is confident that their concerns and interests will be represented in the best possible way.

Other information cards in this series include: The ICC; The ICC – Victims/Witnesses Support and Protection; The ICC – Trust Fund for Victims.
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