



Network for investigation and
prosecution of genocide, crimes
against humanity and war crimes



2016 training programme on investigating and prosecuting conflict-related sexual violence

In October 2016, the Genocide Network held a training programme on investigating and prosecuting conflict-related sexual violence, in cooperation with experts from the International Association of Prosecutors, the International Criminal Tribunal for the former Yugoslavia (ICTY), the United Nations (UN) Team on the Rule of Law/Sexual Violence in Conflict, the Office of the United Nations Special Representative of the Secretary-General on Sexual Violence and The Hague Institute for Global Justice, where the event was hosted.

Thereby, the Genocide Network continued with the implementation of the training programme for judges and prosecutors, which started in 2015 with the European Judicial Training Network (EJTN) on core international crimes.

The training was based on real-life examples from ICTY practice and the UN Team of Experts. The trainers illustrated techniques that have proven to be effective in prior conflict-related sexual violence cases. The aim of the training programme was to improve understanding amongst participants of various strategies to facilitate accountability for conflict-related sexual violence, by presenting and discussing issues such as the following:

- countering stereotypes and myths that may negatively affect prosecutions for sexual violence;
- locating, and communicating with, victims of sexual violence;
- exploring evidentiary options for proving crimes of sexual violence, going beyond victim/witness testimony;
- linking sexual violence to the wartime context through the selection of charges, with a focus on both the substantive crimes and the modes of liability;
- considering the advantages and disadvantages of charging crimes that explicitly involve a gender/sexual violence component (such as rape) or opting for a more general crime (such as torture or persecution);
- contextualising crimes of sexual violence in order to express in legal terms the totality of the criminal conduct against a particular victim and/or targeted group; and
- understanding the United Nations' mechanisms for documenting and investigating conflict-related sexual violence as well as its work facilitating national prosecutions.

These insights were connected to challenges in investigating and prosecuting conflict-related sexual violence from current conflict zones of pressing concern, including the Middle East and the Great Lakes region of Africa. The participants were encouraged to approach sexual violence as a core component of prosecuting international crimes and to uncover proactive strategies to overcome systemic obstacles.

The training — which followed the 21st Genocide Network Meeting — was attended by more than 50 participants, mainly investigators and prosecutors from the EU Member States or Observer States of the Network, but also members of Eurojust's National Desks.