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HISTORIC GENDER TRAINING FOR THE IRAQI HIGH TRIBUNAL JUDGES AND WOMEN LEADERS AT THE DEAD SEA

From November 13-15, 2006, the Global Justice Center (GJC), a new iNGO based in New York provided the first training on international law and gender for 20 Iraqi High Tribunal (IHT) judges and 10 women leaders from Iraq. The training, which took place in Jordan, was requested by Iraqi women leaders and the IHT Judges to inform the Tribunal's rulings on gender violence used by the Baathist regime as a weapon of war as well as the Tribunal's specific obligation to reach out to women and ensure justice to all Iraqis as the proceedings move ahead. Until now, there have been no indictments brought on sexual violence. The IHT Judges have, however, taken testimony from rape victims and have pledged to use international law in their opinions on these cases.

To our knowledge, the Jordan training marked the first time ever that a group of women leaders has spoken with a group of Middle Eastern judges about sex crimes and honor killings. They have continued conversations on these topics with the judges over the month since the training according to several of the participants' letters to the GJC. One key theme of the training was United Nations Security Council Resolution 1325 which ensures women equal access to transitional justice and other transitional bodies. The GJC discussed honor killings as an impediment to women's access to justice in Iraq and encouraged the Tribunal judges to take affirmative measures to address this issue so that women are enabled and encouraged to come forward to testify beside Iraqi men. An example of a fatwa issued by Islamic leaders in Bosnia were provided during the training to demonstrate how the religious leadership can help in reaching out to women and encouraging them to seek justice.

The IHT is the first war crimes tribunal in the Mideast and the first Iraqi judicial body to be charge with applying strictly international law. Moreover, the Tribunal Statute is almost identical to the Rome Statue of the International Criminal Court (ICC), which uses the most progressive statutory definitions of gender crimes in the world. As the ICC has never before heard a case, the IHT will be the first judicial body to hand down decisions interpreting what is essentially the ICC statute, though it has thus far had little education or exposure to the developments in international jurisprudence on gender, the bulk of which has occurred during the war crimes tribunal proceedings for the former Yugoslavia and Rwanda, which served as the basis for the ICC language and definitions. The GJC seeks to ensure that the IHT is well informed enough to provide justice to Iraqi women as well as carry forward the progress being made in international law relating to women's rights.

The IHT is composed of 60 Judges, only one of whom is a woman. Saddam Hussein prohibited women from attending the judicial institute in Baghdad in 1984 and so today, out of 780 judges in Iraq, only 8 of them are women. A longer term goal for Iraq will be to incorporate women back into the judiciary, but until then, it is critical that the male judges be adequately trained in issues of particular concern to women in investigating and trying crimes of war and setting precedents for Iraq's future.

Political contention over Iraq has resulted in the near complete isolation of this tribunal from the UN which, by contrast, provided over USD \$500 million to the war crimes tribunals in the former Yugoslavia and Rwanda. Therefore, while those tribunals employed a full time gender officer and other measures to ensure that women took part in the Tribunal proceedings, no such measures have been taken in Iraq to ensure gender justice aside from the Global Justice Center training last month.

Due to security concerns, this is the first time we have been able to publicize this training, which will be critical to the recognition of crimes against women under Saddam Hussein and be the first step in ensuring that women receive reparations and redress equal to their male counterparts.

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