

WORKSHOP 5

HOW TO ACHIEVE GENDER PARITY IN THE INTERNATIONAL CRIMINAL TRIBUNALS CONCLUSIONS & RECOMENDATIONS



Workshop 5 explored lessons learned from primarily the International Criminal Court (ICC), the Special Tribunal for Lebanon (STL) and the International Criminal Tribunal for the former Yugoslavia (ICTY) to change workplace culture and policy development to work toward greater gender parity among counsel representing defense and victims, high level staff and elected officials in International Criminal Tribunals (ICTs).

In discussing this broad topic, the Workshop acknowledged three themes that need to be tackled, being the need to address unconscious bias; the need to put in place and/or strengthen policies to achieve a gender-inclusive workplace; and the need to explore links with effective measures to ensure greater parity of other underrepresented groups.

Stakeholders

Participants in the workshop agreed that there is a clear need to address the issue of achieving gender parity in the ICTs from all angles. A change in bias and culture is key, next to institutionalizing tangible practices and policies. As such, participants recognized that while some recommendations are targeted to some stakeholders, that need for an overall change in culture is leading, and as such targets without discrimination all stakeholders to achieve the desired outcome of gender parity at all levels within ICT.

Participants in the workshop identified that the following ICT representatives must take the lead in tackling all three needs listed above:

- The President and members of the ICT's Presidency;
- The Registrar;
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- The Head of the ICT's Human Resources section;
- Heads of Organs, Sections and all others in managerial positions;
- Internal (independent) oversight mechanisms;
- Staff Unions.

There is also a pivotal role to play for states in three ways: states as interested actors for change in the field of gender parity; states as the entities providing managerial oversight to ICTs; and lastly as the ICT's electorate:

- State entities during the nomination process of elected ICT officials;



- State entities during the voting processes of elected ICT officials;
- States and state entities (such as the ICC’s Assembly of States Parties; or the UN general Assembly in case of the MICT or the ICJ) providing managerial oversight to ICT’s.

During discussions, participants also acknowledged the role and importance of the United Nations; external (independent) oversight mechanisms; Civil Society Organizations; Bar Associations and Academics as stakeholders in working towards gender parity in the ICTs by addressing the three identified overarching themes.

1. Addressing unconscious bias

Participants agreed that all stakeholders should put in place measures within their competence to avoid unconscious bias. Information is key to counter stereotypes and to raise awareness on the lack of parity. Statistics need to be provided by relevant ICT representatives and made public to inform ICT staff, counsel, the public, and monitoring state entities and NGOs.

2. Ensuring policies to achieve a gender-inclusive workplace

- Participants discussed a number of initiatives that could be implemented in ICTs to improve a gender-inclusive workplace, including flexible work arrangements.
- An instituted Focal Point for Women should be considered, which could be involved or responsible for the following recommendations:
 - A mentoring programme to benefit female staff members should be considered;
 - Training and capacity-building activities aimed at female staff to increase women’s participation in leadership positions should be considered.
 - Internal oversight mechanisms and/or accountability mechanisms for recruitment processes, such as a “comply or explain” rule.
 - The severe discrepancies in rules and regulations protecting female staff, but not female counsel before the ICT need to be addressed;
 - Budgeting processes need to take into account and remove barriers to gender equality.

3. Exploring links with effective measures to ensure greater parity of other underrepresented groups

- The discussion on ways to increase parity in geographical representation of ICT staff was identified as valuable to the discussion on how to increase gender parity where important lessons can be drawn and synergies created or deepened.
- In this regard, one specific recommendation identified by participants is to ensure better visibility of the positions available, including elected officials positions, so that they can reach more qualified women.