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STATEMENT

by Khrystyna Kit, Head of Ukrainian Women Lawyers Association JurFem

Excellencies, Distinguished Delegates, Dear Colleagues and Friends,

We are addressing the International Criminal Court to draw attention to conflict-related sexual violence, which is part of a large-scale, systematic attack on the civilian population by Russian military personnel.

Conflict-related sexual violence is an international crime that has been and continues to be committed in most armed conflicts. Common to all countries, including Ukraine, is that this crime is a tool, a method of warfare, and a weapon that perpetrators use against the civilian population. Women, men, children, regardless of age.

The international armed conflict between Russia and Ukraine, which began in 2014 and escalated with Russia's full-scale invasion in February 2022, is no exception to this.

Prosecutors have documented 326 facts of CRSV (men – 117, women – 209, 17 of them are minors, including – 16 girls and 1 boy (another type of sexual violence not related to rape), among them there are such types as rape, mutilation or violence to genitals, forced nudity, threats and attempts to rape, forcing to watch sexual abuse of a family member etc

The practice of sexual violence against Ukrainians by Russian military personnel is not new. As publications and research by historians demonstrate, sexual violence against the civilian population on Ukrainian territory was massively used by Russian occupying troops during World War I, the Ukrainian Revolution (1917-1921), during World War II, and also afterwards during the armed confrontation between Soviet authorities and Ukrainian nationalist underground.

The Ukrainian Women Lawyers Association "JurFem" provides legal assistance to survivors of conflict-related sexual violence. Among the survivors are women, men, and children. For example, we provide help to entire families – mother, father, and children. Russians, in groups, would enter homes where civilians lived and commit rape of a woman in front of her husband, simultaneously holding a gun to his temple, after which they would commit rape of young children in the adjacent room. And these crimes have a systematic nature in every settlement that has been or remains occupied by Russians.

Analyzing the context and patterns, we can say that conflict-related sexual violence committed by Russian military personnel has all the hallmarks of not only a war crime, but also a crime against humanity and genocide.

This is evidenced by the official statistics of the Office of the Prosecutor General for each occupied region, as well as the testimonies of victims.

For example, in the Kherson region, prosecutors have documented crimes by Russian military personnel such as rape, torture, and gender-based violence against mothers, wives, and sisters of Ukrainian Armed Forces soldiers – all of which are nothing other than patterns aimed at destroying the Ukrainian nation (genocide).

We must also understand that the real number of sexual violence is significantly larger, as for every officially registered crime, there are more than 10 unregistered cases.

Thus, we can speak of approximately 3,000 cases of conflict-related sexual violence committed by Russians against Ukrainians.

It is important to consider the gender component in documenting and recording all instances of sexual violence.

In particular, while providing legal assistance to victims of sexual violence, we observe various circumstances, conditions, and approaches to committing this crime, both towards women and men.

The men we provide legal assistance to were in captivity and were held in places of unfreedom where they were subjected to torture, including attaching electric current to their genitals.

The women we provide legal assistance to experienced conflict-related sexual violence while at home, when Russians searched their houses, or lived in them throughout the entire occupation period, or were taken to forest areas or other residential buildings where rape was committed. Some of them experienced sexual violence in police station premises where Russians detained them.

And these cases have a systematic and planned nature, as they are numerous and similar in every territory that was and continues to be under Russian occupation.

In the context of full-scale war, we have achieved significant results in the direction of forming a policy of response and providing assistance to victims of conflict-related sexual violence. The main results include:

- Adoption of an investigation strategy for sexual violence crimes with a victim-oriented approach,
- Creation of a coordination center for supporting witnesses and victims of war crimes, which provides support to witnesses and victims during criminal proceedings,
- Every victim of torture and sexual violence has the right to free legal assistance
- The Council of Judges has approved and is implementing a protocol for working with vulnerable witnesses and victims in courts
- A law on urgent interim reparations for victims of conflict-related sexual violence has been adopted
- In collaboration with GSF, compensation has been paid to more than 300 victims of conflict-related sexual violence
- Medical, psychological, and social services for victims are being implemented, and an effective referral system is being formed.

An integral part of national efforts is the analysis of international experience and successful practices and policies of the ICC Prosecutor's Office regarding gender-based crimes and the integration of a gender-sensitive approach in investigating and communicating with victims of conflict-related sexual violence. Thus, considering the relevance of certain policies of the ICC Prosecutor's Office, the Ukrainian Women Lawyers Association "JurFem" has carried out an unofficial translation of such policies to provide law enforcement agencies with the opportunity to familiarize themselves with new approaches to investigating gender-based crimes.

Based on the facts of sexual violence discovered in the occupied territories of the villages of Kyiv, Chernihiv, Kherson, Kharkiv and Mykolaiv regions, 59 servicemen of the Russian Federation were notified of suspicion. 27 indictments against 36 persons were sent to court, 5 persons were sentenced to punishment in the form of deprivation of liberty. 87 facts of CRSV have been solved.

However, justice at the national level is insufficient to ensure satisfaction for victims of conflict-related sexual violence and guarantees of non-recurrence. For each victim of conflict-related sexual violence, it is important to see real steps from international judicial institutions, including the International Criminal Court, to investigate cases of conflict-related sexual violence committed by Russians and issue arrest warrants for command and senior leadership for committing these crimes as part of a large-scale, systematic attack on the civilian population in Ukraine.

After all, only justice at the international level for sexual violence crimes, regardless of the armed conflict in which they are committed, can indicate guarantees of non-repetition in the future.

Through joint efforts, we can make conflict-related sexual violence crimes visible and ensure justice for survivors.