

PGA Seminar on promoting Gender Justice and Rule of Law through  
Regulations at the National Level

**Hon. Kula Segaran**

*The Importance of Gender Justice Within International Laws and Norms and  
Development Framework*

(Panel I, Thursday, 26 May 9:45-11:00)

**Importance of Gender Justice within the International Laws and Norms**

- **What is gender? Gender, refers to males and females, within the context of society<sup>1</sup>.** This definition acknowledges the social construction of gender, and the accompanying roles, behaviours, activities, and attributes assigned to women and men, and to girls and boys.
- Humanity's history is marred by examples of Sexual and Gender-based abuses as a tool of war..
- Sexual and Gender-based violence has been condemned throughout the years by the international community but only in the past decades have we seen a tremendous effort to conceptualize these violations as a crime under international law.
- The process of criminalization is the result of the tireless efforts of all relevant stakeholders including civil society advocates.
- **With the emergence of violent and extremist non-state actors such as Daesh, it is imperative that all law-abiding nations contribute to the fight against impunity for the most serious crimes of international concern.**
- In this respect, the Rome Statute of the International Criminal Court and the jurisprudence of ad hoc tribunals have made it possible and necessary to prosecute Sexual and Gender-based violence crimes similarly to other crimes

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<sup>1</sup> *Policy Paper of Sexual and Gender-Based violence*, Office of the Prosecutor, International criminal Court, page 3, <https://www.icc-cpi.int/iccdocs/otp/OTP-Policy-Paper-on-Sexual-and-Gender-Based-Crimes--June-2014.pdf>

The provided definition is in accordance with article 7(3) of the Rome Statute.

that shock human consciousness such as genocide, crimes against humanity, war crimes and the crime of aggression.

- The fight against impunity has several components, including
- - Firstly the **deterrence effect** of having an independent Court
  - Secondly a prosecutorial component and
  - Thirdly justice for victims in forms of redress, rehabilitation and restitution.
  - Without our Asia-Pacific region, universality cannot be achieved and the countries that fall outside of the international framework provide a safe haven for perpetrators of crimes of international concern.
- Though the international precedent against sexual and gender-based crimes has been set, the Asia-Pacific region is lacking in its support.
- As the most underrepresented region in the ICC's Assembly of State Parties, the Asian Group of States has a mere 19 of 53 have ratified the Rome Statute.
- Our democratic nations need to join those who say NO to impunity for international crimes, including gender crimes
- By participating in the ICC system, our countries also take domestic legislative action that contributes to the deterrence of sexual and gender-based crimes;
- This will also strengthen our countries sovereignties and our ability to investigate and prosecute sexual and gender-based crimes.

**It is important to remember that the ICC is only a Court of last resort, and that it is not retroactive.**

**Both our great nations would benefit from joining the ICC, and I hope we can support each other in taking this important step towards a truly international rule of law, which includes us and all our citizens.**

**Thank you so much for listening.**