

**SECRETARIAT OF THE ASSEMBLY OF STATES PARTIES TO THE ROME
STATUTE OF THE INTERNATIONAL CRIMINAL COURT**

THE HAGUE WORKING GROUP

Complementarity

Second meeting

28 April 2026

Informal summary

The meeting was chaired by the ad country co-focal points, Ambassador Greg French (Australia) and Ambassador Mirjam Blaak Sow (Uganda).

1. Updates from the OTP Gender and Children Unit on the implementation of the Gender-Based Crimes policy

A representative of the Gender and Children Unit of the Office of the Prosecutor (OTP) outlined the latest developments in the implementation of policies related to gender-based crimes, crimes against and affecting children, slavery crimes and gender-based persecution. The representative explained that the Unit's mandate was to provide specialised operational and legal support across all stages of proceedings, including preliminary analysis, drafting, and advisory functions. The presentation highlighted developments between 2024 and 2026 across the judicial process. At the level of arrest warrants, persecution on gender grounds had been addressed in situations such as Afghanistan and Libya, in line with the OTP Policy on Gender Crimes. At the confirmation of charges stage, cases such as Kony (Uganda) and El Hishri (Libya) reflected expanded approaches to gender-based crimes, including the recognition of systemic patterns, intersectional persecution, and the treatment of slavery as a gateway crime. At trial stage, recent cases such as Al Hassan (Mali), Abd-Al-Rahman (Darfur, Sudan) or Said (Central African Republic – CAR II) demonstrated progress in recognising both sexual and non-sexual forms of gender-based violence, including intersectional dimensions. On appeal, attention was centred on the Yekatom and Ngaïssona case (CAR II) in light of the acquittal for rape and persecution against Muslim women on religious grounds.

The OTP representative also highlighted significant jurisprudential developments at the national level addressing gender persecution, reproductive violence, and enslavement. Those related, for instance, to cases in Germany (Iraq/Syria-Yazidi) and Uganda (Lord's Resistance Army – LRA). Cases in the Belgium, Netherlands and Sweden were also highlighted to reflect the conflict Iraq/Syria-Yazidi. The efforts of the Office to provide capacity-building support to national authorities were also emphasized, including specialised training programmes. The establishment of internal forums to facilitate knowledge-sharing and coordination had also assisted in ensuring effective implementation of the OTP Policy on Gender Crimes across situations addressed by the Office.

During the discussion, delegations raised questions regarding the implementation of strategic goals and key performance indicators, engagement with national jurisdictions, and cooperation with civil society and academic actors. The OTP underlined that measuring progress remained an evolving process and highlighted the importance of partnerships, including through complementarity mechanisms and engagement platforms such as the OTP Complementarity and Cooperation Forum. Questions were also raised regarding the treatment of LGBTQ-related crimes, operational challenges in sensitive contexts, and jurisdictional limitations in specific situations. The OTP noted that policies

increasingly reflected intersectional and identity-based dimensions of crimes, while operational approaches remained context-specific and adaptive.

2. Presentations by civil society on information exchange and best practices in the prosecution of gender-based crimes

A representative of the Women’s Initiative for Gender Justice (WIGJ) addressed the topic “Strengthening accountability for gender-based crimes”. Its mandate focused on monitoring, analysing and advocating for meaningful survivor-informed accountability for gender-based crimes. The representative emphasized the role of civil society as a partner in shaping accountability efforts, the importance of deliberate bridge-building for coordination among actors and the use of technology as a shared responsibility, particularly in managing the potential risks posed by new tools while upholding a survivor-centred approach. The representative stressed the role of WIGJ over more than 20 years of engagement with the ICC, more than 10 focused-countries, as well as more than 100 legal submissions and publications made.

The WIGJ representative outlined developments in international criminal law on gender-based crimes, including jurisprudence and policy developments, and presented its work in developing practitioner-oriented frameworks and guidelines. In this regard, a practitioner-ready framework entitled “The Hague principles on sexual violence” was highlighted. The WIGJ representative also presented the “Global initiative against impunity” (GIAI), mandated to address the global rise in impunity by advancing accountability for grave crimes, guided by survivor-centred, trauma-informed, and gender-responsive approaches. The GIAI included actors such as civil rights defenders, Coalition for the ICC, International Federation for Human Rights and REDRESS. Regarding reproductive violence crimes, the representative stressed three main points: (i) they were partly codified in the Rome Statute, but additional existing provisions could be triggered for their prosecution; (ii) the importance of early identification was critical for charging strategies; and (iii) their accurate legal characterisation ensured that the full scope of harm would be reflected. She also addressed opportunities and risks associated with emerging technologies, including digital evidence and artificial intelligence. A “Gender report card” was presented by the WIGJ representative as a tool to be launched in June 2026. The card was prepared by WIGJ legal team and would cover legal developments from January 2025 to early March 2026 and would be published periodically. Lastly, delegates were encouraged to participate in the Annual “Gender Justice in International Criminal Law Conference” on 6 to 7 October 2026, in The Hague.

A representative of the Gender Justice Practitioners Hub (GJP Hub) addressed the topic “Strengthening gender justice outcomes for conflict-related crimes, as an investment in global stability and peace”. For the past 25 years, the GJP Hub had worked on its strategic approach to inclusive justice in the Balkans, Rwanda, Syria and beyond. It had identified recurring challenges in securing gender justice across United Nations accountability mandates. Launched in 2024, the GJP Hub had, so far, held nine roundtables and had reached 800 practitioners. Delegates were encouraged to engage with the GJP Hub by bringing challenges, joining the aforementioned annual conference and endorsing the gender-sensitive institution building. The GJP Hub representative highlighted efforts to connect practitioners, improve access to resources, and promote gender-sensitive institution-building.

Some delegations reflected on recurring challenges in prosecuting gender-based crimes, including evidentiary difficulties and barriers to accessing and using jurisprudence across jurisdictions. At the same time, it was noted that a growing body of case law and increased coordination among actors contributed to progress and the identification of emerging trends.
