

THE HAGUE PRINCIPLES ON SEXUAL VIOLENCE

EXECUTIVE SUMMARY FOR NGOs

Sexual violence occurs in many different forms. Since no universal view exists as to what makes an act “sexual”, many forms deemed by survivors to be sexual violence risk being overlooked. As a consequence, the lack of recognition can contribute to the marginalization of the victims of these acts. The Hague Principles on Sexual Violence are the result of extensive consultations with more than 500 survivors, 60 civil society organizations, legal practitioners, academics and policy makers from around the world. As such, they provide widely shared views on what makes violence “sexual”.

The Principles consist of three documents:

- 1. The Civil Society Declaration on Sexual Violence**, providing general guidance on what makes violence “sexual”, especially to survivors;
- 2. The International Criminal Law (ICL) Guidelines on Sexual Violence**, translating the Civil Society Declaration into practical guidance for criminal justice practitioners working toward accountability for conflict and atrocity related sexual violence crimes; and
- 3. Key Principles for Policy Makers on Sexual Violence** to incorporate in policy development and implementation, legislative strategies, and legal and judicial procedures.

GUIDANCE ON SEXUAL VIOLENCE

Understood broadly, the concept of sexual violence encompasses all violations of sexual autonomy and sexual integrity. It is often characterized by humiliation, domination, and destruction. Indications that an act is “sexual” can be, for example, the exposure of or contact with a sexual body part, the (sexual) intention of the perpetrator, the perception of the perpetrator, the perception of the act as sexual by the victim or the affected community. Acts, while not necessarily sexual in themselves, can still be “sexual” if they affect a person’s sexual autonomy or sexual integrity, among others. From a survivor’s viewpoint, acts of sexual violence can fall into two categories. On the one hand, acts of a sexual nature can be inherently violent. Examples include sexually harassing someone by making gestures with a sexual overtone, sending sexually explicit messages or subjecting a person to child marriage or a sexually exploitative relationship. On the other hand, acts may amount to sexual violence if they are committed forcibly or without a person’s consent, for example kissing and biting, sharing nude pictures, or having someone feign sexual enjoyment.

THE CONCEPT OF SEXUAL VIOLENCE ENCOMPASSES ALL VIOLATIONS OF SEXUAL AUTONOMY AND SEXUAL INTEGRITY.

USE OF THE HAGUE PRINCIPLES ON SEXUAL VIOLENCE

The Hague Principles on Sexual Violence can be used to:

- Interpret elements of sexual violence in a forward-looking, culturally sensitive, inclusive and contextually relevant manner;
- Inspire and encourage creative, robust and progressive strategies to enhance accountability for sexual violence crimes;
- Learn about or teach about all forms of sexual violence;
- Promote the need for a survivor centered approach to accountability for sexual violence.
- Serve as a reference guide on specific examples of acts of a sexual nature, examples of sexual body parts, and indicators when an act is sexual in nature, as given by survivors;
- Serve as a reference guide on relevant international criminal law jurisprudence on sexual violence.