

1 committed by private and public actors, including military
2 personnel and police officials. And it considered numerous
3 atrocities, including torture, summary execution, forced
4 disappearance, sexual violence, and human trafficking. The
5 Court was also presented with analyses of applicable
6 international law by a group of legal scholars.
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11 Based on the testimony presented and legal arguments
12 proffered, the Court issues the following findings of law and
13 fact:
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16 1. That for generations, women have suffered physical and
17 psychological abuse throughout the world.
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20 2. That such abuse has occurred in conflict and post-
21 conflict settings.
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24 3. That the perpetrators of these acts have included
25 private and public actors, including military personnel and
26 police officials.
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29 4. That the abuse suffered by women has included the
30 following acts:
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1 A. murder;

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4 B. extermination, including but not limited to the
5 intentional infliction of conditions of life
6 calculated to bring about the destruction of part of a
7 population;
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11 C. enslavement, including but not limited to the
12 exercise of any or all of the powers attaching to the
13 right of ownership over a person;
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16 D. deportation or forcible transfer of population;
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19 E. imprisonment or other severe deprivation of
20 physical liberty in violation of fundamental rules of
21 international law;
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24 F. torture and other cruel, inhuman, or degrading
25 treatment or punishment;
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28 G. sexual violence, including but not limited to rape,
29 sexual slavery, enforced prostitution, forced
30 pregnancy, enforced sterilization, or any other form
31 of sexual violence of comparable gravity;
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Findings of Law and Fact

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2 H. enforced disappearance, including but not limited
3 to the arrest, detention or abduction of persons;
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6 I. discrimination against women, including but not
7 limited to any distinction, exclusion or restriction
8 made on the basis of sex which has the effect or
9 purpose of impairing or nullifying the recognition,
10 enjoyment or exercise by women, irrespective of their
11 marital status, on a basis of equality of men and
12 women, of human rights and fundamental freedoms in the
13 political, economic, social, cultural, civil, or any
14 other field;
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20 J. other forms of discrimination and persecution,
21 including but not limited to systematic oppression and
22 domination by one national, ethnic, racial, or
23 religious group over any other group or groups;
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27 K. other inhumane acts of a similar character
28 intentionally causing great suffering, or serious
29 injury to body or to mental or physical health.
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1 5. That many of these acts have gone unpunished, either
2 because states have been unwilling or unable to prosecute
3 the perpetrators.
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6 6. That these acts constitute violations of numerous
7 international agreements as well as customary international
8 law.
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12 Based on these findings of fact and law, the Court issues
13 the following recommendations:
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16 1. The right of women to participate at all levels of
17 public discourse - local, national, and international -
18 should be recognized. To this end, the principles of U.N.
19 Security Council Resolution 1325 should be implemented with
20 all deliberate speed.
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24 2. Countries should develop and implement policies to
25 address the inequities and injustices faced by women.
26 Particular attention should be devoted to the status of
27 women in conflict and post-conflict situations.
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1 3. Victims of human rights abuses should be provided the
2 opportunity to speak, to share their pain, and to offer
3 their experiences to the world.
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6 4. Perpetrators of human rights abuses, including public
7 and private actors, should be held accountable for their
8 acts.
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12 5. Civil society should continue to expose human rights
13 abuses committed by public and private actors.
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16 6. Victims of human rights abuses should be compensated for
17 their injuries, and such compensation should include all
18 forms of redress, including rehabilitation.
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22 7. Countries should be encouraged to ratify the Rome
23 Statute of the International Criminal Court and all other
24 human rights instruments.
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27 8. Countries should implement their international
28 obligations and should do so in a transparent manner.
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1 9. Countries should promote educational programs and
2 greater awareness about human rights and human rights
3 abuses.
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8 Issued this 18th day of November 2005 in San Diego, California.
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