



WOMEN'S COURT – FEMINIST APPROACH TO JUSTICE

Women's Court - a Feminist Approach to Justice is founded with the following purpose: to make the crimes against women public, to prevent further silence, oblivion, impunity and a retroactive revision of history, to introduce women's approach to justice and to document testimonies of crimes and violence committed against women in the successor states of Socialist Federative Republic of Yugoslavia (SFRY) in the period after 1990.

Given the lack of an already existing set of rules to conduct procedures in this Court, including various other matters relevant to the Court, we hereby declare the following:

RULES OF THE WOMEN'S COURT

Rule 1

Women's Court shall hear testimonies of women about the crimes and violence committed against them.

Rule 2

This Court shall not determine individual criminal responsibility for war crimes and violence committed against women, nor the responsibility for compensation for damages.

Rule 3

Women's testimonies shall refer particularly to the following: violence in war, ethnic violence, militaristic violence, gender-based violence and economic violence.¹

Rule 4

Witnesses shall testify not only about crimes and violence committed to them during the war, but also about acts with long-term effects and those committed after the war under the influence of post-war, economic, militaristic, religious violence, as well as other forms of state, social and domestic violence. Witnesses shall also testify about individual and/or organized resistance of women against all forms of violence.

¹ War crimes such as killings, ethnic cleansing, forced resettlement, sexual crimes (rape, forced pregnancy, forced prostitution, sexual exploitation in situation of enslavement or submission), torture, forced labor, economic exploitation, employment discrimination, including a discriminatory economic policy, violence resulting from a misuse of tradition, religion or customs, militaristic violence (war against civilian population, forced mobilization, consequences of forced mobilization on women (such as health, psychological, emotional, economic, social and political consequences), militarization of public life (warmongering propaganda by means of the media, educational system, creation of enemies and fear, persecution, political oppression, intolerance against the "other" - those who are different (in an ethnic, religious, cultural, political or sexual sense), etc.

Rule 5

As a rule, witnesses shall testify in public, and always in person. Women's Court shall hear the testimonies with no interruption or asking questions. Additional questions may be asked only to clarify matters regarding the time or place where an act occurred.

Rule 6

Women's Court shall hear not only witnesses, but also expert witnesses who help the Court to understand the political, time and space context within which a crime occurred (context as the foundation of a personal testimony).

Rule 7

Audio and video recordings of personal testimonies with regards to context shall be made, and their written form shall comprise the *Women's Book of Testimonies*. Women's Court is responsible for publishing this *Book*.

Rule 8

Based on the testimonies made by witnesses and expert witnesses, Women's Court shall give a public verdict on the political and civic responsibility of perpetrators, appealing to judicial institutions with its requests and proposals, and monitoring the response of the said institutions.

Rule 9

Women's Court is a regional civil society initiative from the successor states of SFR Yugoslavia. It shall not institutionalize nor merge with any state institution.

Rule 10

On behalf of the Women's Court, testimonies are heard by the International Judicial Council. Witnesses and the International Judicial Council shall be assisted by associates of the Women's Court who shall provide analysis of the wider social, economic, political and gender context within which injustices and violence occur, based on the women's testimonies.

Rule 11

Non-government organizations which take part in the Organization Committee of the Women's Court² shall appoint as members of the International Judicial Council trustworthy individuals who shall carefully hear and record the testimonies. In the name of the solidarity with women who suffered crimes and violence, they shall also establish political and civic responsibility of perpetrators, appeal to judicial institutions with its requests and proposals, and monitor the response of the said institutions.

Rule 12

Members of the International Judicial Council have the following tasks: to hold public hearings instead of taking statements; to provide support to witnesses instead of giving verdicts; to making faithful records of testimonies instead of taking minutes; to avoid bureaucratization of the procedure of hearing testimonies; to ensure that requests and proposals made public have been acted upon.

² Movement "Mothers of Srebrenica i Žepa", Women's Forum Bratunac, CURE Foundation, Sarajevo, Center for Women's Peace Education-Anima, Kotor; Center for Women's Studies and Center for Women Victims of War Violence, Zagreb; Women's Network of Kosovo, Council for Gender Equality, Skopje, Women's Lobby of Slovenia, Center for Women's Studies and Women in Black, Belgrade.