

2010 Symposium Issue Introduction

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The Avon Global Center for Women and Justice at Cornell Law School is pleased to collaborate with the *Cornell International Law Journal* to present this issue dedicated to the topic of gender-based violence and conflict.

The disproportionate impact of conflict on women and girls is well documented and not a new phenomenon. The experience of women during and in the wake of conflict is steeped in gender discrimination and inequality. The rape and enslavement of women and girls have long been dismissed as inevitable by-products of war, and employed as a tactic of war—a means of humiliating opponents, “reaping the spoils of war,” and asserting “victory.”

Even today, women and girls are targeted for sexual and other gender-based violence during conflict and in the post-conflict context, when the rule of law is characteristically weak, and aggression, societal breakdown, and poverty are acute. Reports of mass rape during current and recent conflicts—including in the Democratic Republic of Congo, the former Yugoslavia and Rwanda (among many others)—underscore the widespread and insidious nature of conflict-related crimes against women and girls around the world. Although the numbers themselves are staggering, scores go unreported and unrecognized.

The international community has taken important steps in recent years to condemn gender violence during conflict and, importantly, to recognize the role of women in peace building and reconstruction initiatives. This progress is embodied in various United Nations Security Council Resolutions, the designation of a Special Rapporteur on Sexual Violence in Conflict, and international jurisprudence recognizing certain gender crimes as war crimes and crimes against humanity.

Despite such progressive measures, impunity persists. Only a tiny fraction of gender-based crimes committed during conflicts is adjudicated before international or national courts. Perpetrators effectively enjoy near total impunity for crimes including rape, sexual slavery, trafficking, forced marriage, forced nudity, and forced conscription. Such tacit acceptance of gender-based crimes is an affront to human rights and dignity. Moreover, it serves to perpetuate a culture of violence that undermines the rule of law and security, and leaves a legacy of violence that impedes peace building and post-conflict reconciliation.

Recognizing the importance and urgency of this issue, the Avon Global Center for Women and Justice at Cornell Law School, in coordina-

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tion with the *Cornell International Law Journal*, hosted the 2010 Women & Justice Conference: “Gender-Based Violence and Justice in Conflict and Post-Conflict Areas.” The event took place on March 12, 2010, in Washington, D.C. The conference convened nearly 200 participants from 15 countries, including more than 30 judges (among them, Supreme Court justices, trial and appellate court judges, and judges from international courts and tribunals), as well as noted scholars, civil society advocates, legal and medical practitioners, and policymakers. The participants’ breadth of experience and cross-section of perspectives formed the basis for rich discussion on the complexities of legal, health, and economic issues confronting women in conflict areas. The proceedings were marked by a substantive exchange of lessons learned and novel ideas for more effectively using the law and other mechanisms to address these problems.

The articles that comprise this issue of the *Cornell International Law Journal* are based primarily on presentations made at the 2010 Women and Justice Conference. The conference organizers thank each of these author-presenters for their extraordinary contributions to this journal: keynote speaker Rashida Manjoo (United Nations Special Rapporteur on Violence Against Women); the Honorable Virginia Kendall; Professor Valerie Oosterveld; Professor Anita Bernstein; and Patricia Viseur Sellers.

We are likewise honored by the important contribution to this journal from Justice Sandra Day O’Connor and Kim Azzarelli, discussing the role of women in the judiciary and international development—a topic that resonates in both the conflict and non-conflict context.

The conference organizers thank all of the participants in the 2010 Women and Justice Conference and, in particular, the distinguished speakers and panel moderators who shared their invaluable expertise and insights in preparation for and during the proceedings. We also gratefully acknowledge that the conference was made possible by a grant from the Avon Foundation for Women, and additional support from Cornell Law School, Virtue Foundation, the Berger International Legal Studies Program at Cornell Law School, and BarBri.

Most importantly, we honor the courage and strength of the individual women and girls who are survivors and victims of all forms of violence.