

Chapter Eighteen

International Aspects of Victimology

History and Leaders in the Field

- 1970s Victimology gained international perspective
- World Society of Victimology (WSV)
 - Actively involved in the implementation of the United Nation's Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power
 - Website contains some of the most extensive information about international Victimology
- International Victimology Website
 - Maintained by Dutch Ministry of Justice working with the United Nations Crime Prevention Project in Vienna
 - Similar information and research as the WSV but serves a wider audience
- Emilio Viano published first journal in the field entitled "Victimology"

Crime Victim Surveys

- International Crime Victimization Survey (ICVS)
 - Most far reaching survey of crime in the world
 - Established because of the inadequacy of recorded offenses by law enforcement agencies for purposes of comparing crime in different countries
 - Intended to standardize method to record international crimes

Crime Victim Surveys

- International Violence Against Women Survey (IVAWS)
 - Established to assess the level of victimization of women across a number of countries and to promote and implement research on violence against women
 - Hopes to provide reliable information as the basis of raising countries' awareness and response to sexual violence
- Survey of Crime Trends and Operations of the Criminal Justice Systems
 - Conducted in 1977 by the United Nations
 - Deals with crime and the administration of justice rather than victimization

Crime Victim Surveys

■ Issues

- Using the same methodology in different cultural and social settings
- Individual countries' differing definition of the term violence
- Interpretation and translation of the results
- Reaching agreements among the participants

■ Ethical Concerns

- Safety of the respondents and interviewers
- Emotional trauma resulting from the interview
- Interviewer selection and training

Globalization of Crime and Victims

- While the world has become globalized, so has crime.
- Organized crime is one of the important forms of international crime
 - Organized crime has been defined as groups of individuals with stable, generally hierarchical organizations which perpetrate illegal actions in order to enrich themselves without regard to international borders.
 - Began with gambling, loan sharking, and prostitution
 - Now includes international automobile smuggling, art and archaeological theft, credit card fraud, and other transnational enterprises

Terrorism

- Terrorism has existed for many years, however, September 11, 2001 brought home the phenomena of international terrorism to the United States
 - Terrorism has been defined as the use of force or violence against persons or property to intimidate or coerce a government, the civilian populations, or any segment thereof in furtherance of political or social objectives.
 - Terrorism and International Victims Unit (TIVU) of the United States Department of Justice, Office for Victims of Crime was formed as a result of the continued threat of terrorism.
 - TIVU is responsible for developing programs and initiatives that will respond to the needs of victims of terrorism, mass violence, and crimes with transnational effects such as trafficking of women and children.

The United Nations

- Created in 1945 by representatives from 50 countries.
- Mission is to develop friendly relations among nations; to cooperate in solving international economic, social, cultural, and humanitarian problems and to promote respect for human rights and fundamental freedoms; and to be a centre for harmonizing the actions of nations in attaining these ends.

The United Nations

- Six principle organizations within the U.N.
 - Security Council
 - General Assembly
 - Economic and Social Council
 - Trusteeship Council
 - International Court of Justice
 - Secretariat

The U.N. *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*

- Adopted 1985
- Defined victims as “persons, who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within Member States, including those laws proscribing criminal abuse of power.”
- Entitles victims to justice and fair treatment, financial aid and various victim assistance programs

United Nations Guide for Policymakers

- Adopted in 1999 as a guide on the implementation of the *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*
- Establishes standards that policy makers from various governmental agencies can use to evaluate their own processes and practices
- Sets forth a number of proposals for improving services to victims of crime

United Nations Handbook on Justice for Victims

- Designed as a tool for implementing victim service programs, and for developing victim-sensitive policies for those who come into contact with victims
- Outlines the steps necessary to develop a comprehensive victim assistance program

The International Court of Justice

- Principle judicial body within the United Nations

- Two missions
 - To settle in accordance with international law the legal disputes submitted by member nations
 - To give advisory opinions on legal questions referred to it by duly authorized bodies and agencies

The International Criminal Court

- Established in 1998 by international treaty
- Not a part of the United Nations
- Independent international court with its own legal capacity created by an international treaty
- Created to prosecute and punish *persons* responsible for crimes against humanity, genocide and other serious war crimes
- United States signed the treaty on December 31, 2000. Withdrew from the treaty in 2002 because of fear the ICC might attempt to try U.S. military and government personnel for war crimes

International Victimization

■ Trafficking

- The United Nations Protocol to Prevent, Suppress and Punish Trafficking Persons, especially Women and Children defines trafficking as:

The recruitment, transportation, transfer, harboring, or receipt of persons by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include ... prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

Parental Child Abductions

- Child abduction has been defined as the “taking, retention, or concealment of a child or children by a parent, other family member or their agent, in derogation of the custody rights, including visitation rights of another family member or their agents.”

Abuse of Power

- The United Nations defines victims of abuse of power as any person(s), either as an individual or as a group, who suffers harm, including physical, emotional suffering, economic loss or substantial impairment of their fundamental rights through acts or omissions that do not yet constitute violations of national criminal laws, but are considered violations of internationally recognized norms relating to human rights.

Victims of Torture

- The United Nations General Assembly, in *The Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*, defined torture as

“... any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, for any reason based on discrimination of any kind when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.”

Children as Soldiers

- Almost all civilized nations publicly agree that they should not use children as soldier. However, many nations continue the practice.
- The Coalition to Stop the Use of Child Soldiers defines them as any person under the age of 18 who is a member or attached to government forces or any other regular or irregular force or armed group.
- Great Britain and the United States are two examples of nations that allow persons under the age of 18 to enlist in their armed forces with the consent of their parents.
- Of particular concern is the use of younger children, and the method of enlistment and service

War, Natural Disasters, and Other Acts of God

- Earthquakes, droughts, epidemics, famine, floods, and volcanic eruptions are a few examples of these natural phenomena
- These victims number in the millions
- Victims are not considered traditional victims
- Suffer same effects as other victims
- Must be responded to in the same manner as victims of international or domestic crime victims