

Security Council Open Debate on Sexual Violence in Council, April 2014, Security Council Chamber
Statement by Mr. Kolga, Permanent Mission of Estonia to the United Nations.

I have the honour to deliver this statement on behalf of Latvia and Estonia. Our countries would like to join others in thanking you, Sir, for organizing this open debate on the important issue before us. We fully align ourselves with the statement delivered on behalf of the European Union.

We thank the Secretary-General, Ms. Bangura and Ms. Misaka for their statements. We also thank the Secretary-General for the comprehensive report on which today's discussion is based (S/2014/181).

Both of our countries agree with the Secretary-General that important advances have recently been made on the issue before us. It is crucial that we now focus on converting these political commitments into concrete action — that is, prevention and services on the ground. Indeed, the Security Council, through its five resolutions, has developed a robust framework to prevent and address sexual violence in armed conflict. However, gender crimes remain an enduring part of most armed conflicts and rape continues to be used as a weapon of war.

We are concerned by the alarming facts reflected in the report that, despite the extensive legal framework we have been able to agree on, violations continue, or are even on the rise. Among other things, we have been informed about an increase in reported incidents of sexual violence in Afghanistan, and there are clear indications that conflict-related sexual violence has been a main feature of attacks in the Central African Republic and a consistent characteristic of the crisis in South Sudan.

Estonia and Latvia believe that accountability for sexual violence crimes is crucial for deterring and ultimately preventing their commission, and for doing justice by victims. To date, sexual and gender-based violence as a war crime or crime against humanity has been prosecuted primarily at the international level. As the only permanent international criminal tribunal, the International Criminal Court (ICC) therefore has an important role to play where States lack the capacity or political will to hold perpetrators to account. The Council itself has also acknowledged on numerous occasions that the fight against impunity for sexual violence crimes has been strengthened through the work of the ICC.

However, the ICC will never be able to ensure accountability on its own. To reverse the near complete impunity that perpetrators of sexual violence currently enjoy, it is important that States build the capacity to ensure accountability. States lacking the necessary national legislation to investigate and prosecute perpetrators should therefore incorporate the ICC's provisions into their own legal systems. We would emphasize here that the ICC Statute has some important innovative provisions. For instance, the scope of crimes of sexual violence in international law has been expanded, acknowledging that sexual violence can be committed against both men and women. It also provides safeguards to ensure that victims of sexual violence can testify without being put on trial themselves and with minimal re-traumatization.

By serving as a model for the international community, the ICC's accomplishments can therefore be seen as part of a broad-based effort to adequately address sexual violence at both the international and domestic levels. Given its pivotal role, the Court should enjoy the support and cooperation of all States, the Council and international and regional organizations. In order to enhance accountability, the Council could adopt targeted measures against those responsible for conflict-related sexual violence and include individuals sought by the ICC on the sanctions lists.

The Secretary-General's report describes the increased incidents of forced marriage, campaigns of forced pregnancy and the fact that lives are being put at risk through unsafe abortions. We call on everyone to respect what we have agreed concerning the full enjoyment of human rights by all women and girls. In addition, I would especially like to stress the importance of quality sexual and reproductive health services for survivors.

It is of utmost importance that peacekeepers continue to be trained to enhance their capacity to prevent and respond to conflict-related sexual violence, that women protection advisers be deployed within peacekeeping and special political missions, and that ceasefire or peace agreements explicitly reflect sexual violence considerations. Latvia and Estonia commend United Nations Action against Sexual Violence in Conflict and the efforts of the United Nations system to establish the monitoring and reporting arrangements on conflict-related sexual violence, as mandated by resolution 1960 (2010). We would also like to commend the work of the Team of Experts on the Rule of Law and Sexual Violence in Conflict for assisting Governments in building national capacity and expertise in addressing impunity for those crimes. Estonia supported the Team of Experts financially in 2013 and plans to do so again this year.

In conclusion, let me stress once more an evident fact that, regrettably, does not yet seem to be very evident to everyone in the world — the use of sexual violence as a method of war must stop. It is an inhuman practice that, as Ms. Bangura has rightly pointed out, should belong to the history books and not to everyday reality.