

Security Council Open Debate on Sexual Violence in Conflict, June 24th 2013, Security Council Chamber

Statement by Mr. Arias, Permanent Mission of Spain to the United Nations.

Sexual violence in conflict is a phenomenon that should receive more and urgent attention, and Spain welcomes every effort of the international community to continue working to combat this scourge more effectively. We also welcome the Council's adoption this morning of resolution 2106 (2013), of which Spain was a sponsor. It is particularly pertinent in that it specifically addresses the issue of impunity as one of the key components in the fight against sexual violence in conflict. Combating impunity must be addressed with a comprehensive approach that promotes an education system that promotes the dignity and equality of men and women, a social system that condemns sexual violence and a legal mechanism aimed at ensuring the protection of victims and the punishment of perpetrators.

There are two key instruments in the fight against impunity for crimes of sexual violence in conflict — legal codes and training. An adequate legal code ensures that the necessary legal tools are in place in order to bring perpetrators to justice. I reiterate Spain's support for the conclusions of the fifty-seventh session of the Commission on the Status of Women, which highlighted the inclusion of crimes of sexual violence in the Rome Statute of the International Criminal Court and the fact that the ad hoc international criminal tribunals recognize rape and other forms of sexual violence as possible war crimes, crimes against humanity or acts of genocide or torture.

The most recent reform of Spain's military code of conduct includes the obligation to provide specific protection to women and children against rape, enforced prostitution, humiliating and degrading treatment or any other form of exploitation or sexual assault within the context of armed conflict.

Regarding training, we must realize that in a post- conflict scenario, where legal systems are broken, it is essential that the reconstruction of national capacities includes specific training on cultures of impunity. Spain has therefore given support to specific programmes in that area through the United Nations Development Programme (UNDP)/Spain Millennium Development Goals Achievement Fund. To cite but two examples, in South Sudan efforts have been focused primarily on educating and raising awareness in indigenous communities on gender equality, while in Colombia the programme has involved training women in human rights and violence prevention so that they can later replicate such teaching in their communities.

Since combating impunity should be specifically included in humanitarian and development programmes, the Spanish Humanitarian Aid Office has drafted a guide to addressing sexual violence in humanitarian interventions. Legal codification and training are indispensable in the fight against impunity, but beyond that there is a need for clear political will in order to see that perpetrators are prosecuted and to guarantee legal and social protection for victims. Therein lies the importance of including the subject of responsibility in peace agreements and supporting the participation and advancement of women in peacebuilding processes. In the Democratic Republic of the Congo, through the UNDP/Spain Fund I just mentioned, we have promoted the establishment of a number of assistance centres aimed at providing psycho-social support and training for women victims of acts of sexual violence, in order to facilitate their social and economic reintegration.

The commitment of States and international organizations to fighting impunity must be further strengthened through an ongoing debate within the international community, so as to create mechanisms that can effectively prosecute any form of sexual violence in conflict. Spain will do its utmost to participate actively in the various forums addressing the issue. At the most recent session

of the Human Rights Council in Geneva, Spain took part in both the interactive dialogue based on the thematic report of the Special Rapporteur on violence against women, its causes and consequences (A/HRC/23/49), and in the panel on women's rights that took place in the same context. In both forums Spain emphasized the importance of criminalization and deplored the deficiencies that emerge when dealing with violence against women, due to a lack of specific training and education, and to the patriarchal and stereotypical patterns that hinder appropriate approaches to such cases, both in terms of prosecution and investigation. Such debates must help raise awareness of the importance of firm condemnation of such crimes and result in the Council's renewed support for advancing the fight against impunity and maintaining a proactive stance to help reduce the incidence of sexual violence in conflict and refer such cases to the International Criminal Court.

Finally, the observer of the European Union will be delivering a statement that Spain naturally aligns itself with and has actively contributed to.