**Statement to the Security Council on Women, Peace and Security
Noeleen Heyzer, Executive Director, UNIFEM, Security Council Open Debate on women, peace and security, 28 October 2004**
Mr. President and members of the Security Council,

Thank you for the honour to address the Security Council on the important issue of Women, Peace and Security focusing on gender-based violence.
In times of conflict, violence against women becomes far more than a personal devastation, it becomes -- as we have seen, all too painfully, in the Democratic Republic of Congo (DRC), Rwanda, in Bosnia, and today in Darfur -- a means for the wholesale destruction of communities and peoples. As the statute of the International Criminal Court (ICC) has recognized, in wartime, violence against women may attain the scale of a war crime, a crime against humanity, and even genocide. The international community is now fully aware that rape and other forms of violence against women are systematically deployed, with the cruelest effect, as a weapon of war. In places such as Haiti and Timor Leste, rape has been used to punish wives and female sympathizers of the enemy. And in many wars and conflicts, rape has been used as a way of humiliating the men of the other side, infecting women with HIV/AIDS, forcing them into sexual slavery and destroying women's ability to revitalize their communities.

Addressing Gender-Based Violence

What ultimately must we do to achieve justice and accountability for victims of gender based violence? Impunity for gender crimes continues to prevail in post-conflict societies and will likely never be completely eliminated given the shortcomings of international and national justice in dealing with sexual crimes. However, justice and accountability are critical to the healing and peace process. As we work towards ending impunity, it is important to ensure that those responsible for crimes against women are not rewarded with state power and high profile jobs as a result of negotiated peace agreements. It is important to include women at the peace table and in the reconstruction process. It is important to address the nature and root causes of violence against women.
Within the human rights framework, violence against women is recognized as manifestation of deeply rooted, historical patterns of discrimination against women and of systemic gender inequalities. Seen in its true light, gender based violence in times of conflict is part of the continuum of violence that runs through women's lives, from times of peace to times of war. It only deepens with war. In all cases its origins lie in discrimination and inequality. Gender inequality is a seed that, in times of conflict, bears the bitter fruit of concerted and systematic campaigns to destroy the lives of women, families and communities.

The good news is that we also now know so much about effective measures to eliminate violence against women. Great strides have been made in setting normative standards and legal frameworks, and the challenge now is to ensure the implementation and replication of the very good laws that many countries have already developed, working closely with and providing the necessary support to national players. Mechanisms for enforcing rights and redressing violations are critical for accountability and justice. Legislative reform must be accompanied by training and reform of the criminal justice system, as it is generally insensitive to the needs of women victims. Some of the changes that have been made to the administration of justice -- through the creation of specialized police stations, training to the police force as a whole, and partnerships with women's NGOs -- must be instituted more broadly. Coordinated community level interventions must bring together men, local government, traditional leaders, medical and legal professionals, and the leaders of women's organizations, so that the framework of international and national laws can be firmly connected to women's lived realities. We also know that violence must be dealt with at multiple levels and in multiple sectors of society simultaneously, and the root causes of violence must be addressed, including women's poor economic, social and political status. Through the UN Trust Fund to Eliminate Violence Against Women, administered by UNIFEM, initiatives have been taken in all of these areas. These initiatives hold the key to lives free of violence for all women, but they need to be scaled up and adequately resourced to become standard practice in crisis and post-crisis situations.

Gender Justice in Post-Crisis Situations

At the end of the day the root causes of violence must be addressed by enforcing women's rights and thereby eliminating all forms of discrimination against women. Gender justice requires the integration of gender perspectives within every dimension of justice, and the participation of women in shaping justice frameworks and rule of law institutions in ways that promote their human rights, legal equality and inclusion. It requires legal justice, to address discriminatory laws against women at institutional and policy levels, such as inheritance laws which prevent women from owning property. It requires restorative justice, to address violation of human rights and war crimes so that women can move beyond their trauma and begin to construct new lives for themselves. It requires distributive justice, to address structural and systematic injustices such as the political, economic and social inequalities that are the frequent underlying cause of violence and conflict. Women have been victims of war; women must now be part of the solutions for peace.

In our work on gender justice, UNIFEM has been supporting all of these dimensions. For example, in Afghanistan we have supported gender and rights training, women's involvement in the drafting of a new constitution and laws, and women's participation in elections and governance. Support has also been provided to bring women's groups together to help them develop a collective voice, to advocate on issues of common concern and to become aware of their rights. In Rwanda, UNIFEM's support for women leaders has helped to promote women's perspectives in government policies and within parliament, the judiciary and the police. Rwanda today has the highest percentage worldwide of women judges and women in parliament. Our support also contributed to the passage of the inheritance bill, which guarantees women and girls the right to inherit property, and will go a long way in revitalizing the agricultural sector. In the Great Lakes region we have assisted the office of the Special Representative of the Secretary-General (SRSG) as well as women's organizations in preparing for the Great Lakes Regional Women's Meeting that generated the Kigali Declaration. The calls issued in this Declaration must now be taken seriously at the International Conference of the Great Lakes Region, the first summit of Heads of States and Government in the region, taking place on 19-20 November 2004.

We should never allow the opportunity that post-conflict reconstruction presents for genuinely establishing the rule of law for women to be overlooked and lost. The real cure for violence against women lies in constitutions with strong and clear guarantees of gender equality. It is to be found in legal reforms that ensure equality in marriage and family relations, in property ownership and in equal access to secure employment and livelihoods. It depends on women being supported to participate in elections as voters and candidates and in ensuring their equal representation in all facets of government. It relies on judicial processes that fully ensure and protect women's entitlements on a basis of equality with men.

With these fundamental building blocks in place, not only will all women be assured of redress for violence, but the prospect of reducing and eliminating gender-based violence finally comes into view. The wholesale damage to lives and communities that is inflicted by violence can never be undone. So our sights must be set, not only on redress in the immediate sense, but always also on the essential concern of cutting violence off at its roots.

Strengthening UN Mechanisms in Support of Gender Justice

We are at a historical crossroad where the opportunity now exists to make the rule of law and women's perspectives central to peace and reconstruction processes. As noted by the Secretary-General's report, much has been achieved since the adoption of SC resolution 1325, but much still remains to be done. The UN system as a whole can leverage the political, financial and technical support needed for these efforts to have an impact on peace efforts nationally, regionally and internationally. I would like to draw your attention to three areas in particular that were highlighted during the recent Conference on Gender Justice in Post-Conflict Situations organized by UNIFEM and the International Legal Assistance Consortium (ILAC).

First, the participation of women, and the incorporation of gender dimensions must be increased in all stages of the conceptualization, planning and implementation of UN peace operations. Peace operations should have adequate gender justice specialist staff in all relevant offices, and should seriously draw on the specialized gender expertise available from the UN funds and programmes operating on the ground, including UNIFEM. UN bodies must also collaborate more closely and more frequently on gender justice objectives with local non-governmental organizations (NGOs), professional groups, and academic institutions engaged in training women judges and lawyers, with networks of women, and with men, to help change attitudes, curb domestic violence, and ensure the full participation of women in the post-conflict period and beyond.

Second, UN peacekeeping and humanitarian personnel have a special obligation not to violate the trust that women and girls place in them. Unfortunately, serious criminal sexual misconduct has been identified with UN personnel, as well as other internationals. Gender justice must extend to such international guardians. Means must be developed to enhance responsibility and accountability of UN peacekeeping and humanitarian personnel, who serve as role models to the local communities, for proper behaviour vis-à-vis the female population in deployed areas. Comprehensive policies and procedures must be established to prevent and punish trafficking, sexual exploitation and abuse. We have to keep our own house in order, if we expect others to do so.

Third, gender justice must be prioritized within the UN system, including UN peace operations, and institutional arrangements must be strengthened to accelerate progress. We still lack the adequate organizational structures, staffing, resources, coordination and prioritization needed to advance gender justice objectives. For post-crisis situations, the United Nations should have a central mechanism to focus on coordinated assistance for gender justice. UNIFEM, together with UNDP and ILAC, will be following up on some of the recommendations of the Gender Justice Conference, including through the Partners for Gender Justice Initiative. However, further necessary steps will require the involvement of the UN system as a whole, as well as Member States, regional organizations and civil society.

Gender justice will not be achieved unless we address the current institutional deficit within the UN regarding gender. Security Council resolution 1325 is a good example of how women have been able to bring issues of protection, their role in peace-building and reconstruction to the attention of the Security Council. What is needed now is a serious strategy and comprehensive implementation, through a stronger and more coherent gender architecture within the UN and through coordinated partnerships with local organizations that address current challenges and promote strategies that have worked.

It has taken more than two decades for women's voices to be seriously heard, a decade to establish the normative and legal frameworks for gender justice needed to eliminate violence against women and to empower women economically and politically. Women from war-torn societies across the globe are now waiting for us to fully address the recommendations of SC 1325 in ways that can make real differences in their everyday lives. We cannot allow another decade to pass before this happens.

I thank you.