

The President of the Security Council presents his compliments to the members of the Council and has the honour to transmit herewith, for their information, a copy of a **letter dated 3 October 2013 from the Permanent Representative of Azerbaijan to the United Nations** addressed to the Secretary-General, and its enclosure.

This letter and its enclosure will be issued as a document of the Security Council under the symbol S/2013/587.

3 October 2013

Azərbaycan Respublikasının  
BMT yanında Daimi  
Nümayəndəliyi



Permanent Mission of the  
Republic of Azerbaijan  
to the United Nations

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AZ/SSG/13

3 October 2013

Excellency,

I have the honour to forward to you the concept paper for the Security Council Open Debate on the theme entitled “Women, Rule of Law and Transitional Justice in Conflict-Affected Situations”, to be held on 18 October 2013 (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Agshin Mehdiyev'.

Agshin Mehdiyev  
Ambassador Extraordinary and Plenipotentiary  
Permanent Representative

H.E. Mr. Ban Ki-moon  
Secretary – General of  
the United Nations  
New York

**OPEN DEBATE OF THE SECURITY COUNCIL, OCTOBER  
2013 - WOMEN PEACE AND SECURITY  
“Women, Rule of Law and Transitional Justice in Conflict-Affected  
Situations”**

**Azerbaijan Presidency of the Security Council, October 2013**

**Introduction**

1. During its Presidency of the Security Council in October 2013, Azerbaijan will convene an Open Debate focusing on *Women, Rule of Law and Transitional Justice in Conflict-Affected Situations*. This session will focus on the implementation of Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009) and 2106 (2013) and will provide Council members an opportunity to send a strong signal that the rule of law in conflict and post-conflict situations must comprehensively promote justice and accountability in ways that further the equal rights of women and the right to equal participation in decision-making.

**Aim and Objectives of the Open Debate**

2. The principal objectives of the debate are to:
  - Review progress and address gaps and challenges to the implementation of commitments on women, peace and security.
  - Highlight good practices of gender-responsive transitional justice measures, reform of justice systems to increase women’s access, equal rights and participation in conflict-affected situations.
  - Allow representatives from the UN system and civil society to elaborate on specific measures that need to be adopted in order to foster transitional justice and rule of law actions that support comprehensive accountability for crimes experienced by women and women’s full participation in these processes.

**Background**

3. Since the first thematic debate on the rule of law hosted by the Security Council in 2003, the Council has paid increasing attention to this issue, acknowledging that combating impunity, addressing past violations, rebuilding the justice sector and asserting principles of rule of law underpin efforts to build peace and stability in the aftermath of conflict. The Council has thus far hosted 7 debates on the topic of rule of law and transitional justice and has requested 3 reports from the Secretary General on the topic. Support for the rule of law, justice sector reform, and transitional justice has been mandated in an increasing number of peacekeeping and special political missions.
4. Within this growing engagement by the Council, little attention has been paid however to the gendered impacts of the breakdown of rule of law during and after conflict. While real gains have been made in strengthening the political will and international legal frameworks to secure justice for conflict-related sexual violence crimes, little has been said of the full range of violations and serious crimes experienced by women, including gendered impacts of enforced disappearances, foreign occupation, mass forced displacement, restrictions on humanitarian aid, conflict-related trafficking, and destruction of civilian infrastructure. Combatting impunity and strengthening both international and national justice responses for these crimes is equally crucial.

5. One component of the rule of law agenda, specifically transitional justice, has become a well-established element of the Council's discussions and outcomes. The Security Council has increasingly mandated peacekeeping and special political missions to support the establishment of transitional justice measures – including national consultations, prosecutions, truth seeking and fact finding bodies, reparations programmes and reconciliation initiatives – and they are now recognized as key tools for ending cycles of violence and asserting a new national compact for peace. The contribution of transitional justice measures to rebuilding the rule of law, redress, justice and reconciliation make them equally important tools for the furthering of women's rights in post-conflict societies.
6. Given the importance of these institutions, more direction is needed to ensure consistent standards for women's equal access and benefit. For example, truth commissions and other justice processes must address conflict-related abuses of women's and girls' rights, be designed on the basis of consultations with women, ensure women's representation at all levels, engage gender equality experts and ensure women's full participation as witnesses and beneficiaries. Reparations programmes, a key justice priority for women should be given increased recognition and support as a tool for delivering justice and recovery for victims and longer term peace dividends within communities.
7. More attention is also needed on rebuilding justice and security institutions with gender sensitive reforms and women's participation at their core. In many post-conflict contexts, women continue to face heightened levels of violence and insecurity as a result of weakened or non-existent justice systems, discriminatory laws and entrenched inequalities. Justice sector reform is also critical to allow women's access to the full range of rights – access to land, identity documents, citizenship, labour rights, economic rights and more. The need to rebuild justice and security sectors is critical not just to women's protection and combatting impunity, but also to their full participation in all aspects of post-conflict reconstruction and peacebuilding – key pillars of the women, peace and security agenda.

#### **Elements for Discussion**

8. In an Open Debate that focuses on *Women, Rule of Law and Transitional Justice in Conflict-affected Situations*, the Azerbaijan presidency of the Security Council provides an opportunity to address gender-specific approaches to the restoration of the rule of law in ways that address the full range of violations of women's rights during war through gender-responsive transitional justice measures, prevent on-going abuses in the post-conflict period, and support justice and security sector reform which places women's equal rights, access and participation at their heart and play a substantial role in long-term stability and peace.

#### **Suggested briefers**

- Ban Ki-moon, UN Secretary-General (Opening Remarks)
- Phumzile Mlambo-Ngcuka, Under-Secretary-General and Executive Director, UN Women
- Herve Ladsous (Under-Secretary-General, DPKO) or Helen Clarke (Administrator, UNDP)
- NGO Working Group on Women, Peace and Security

#### **Outcome**

The intention of the Presidency is to conclude the meeting with the adoption of a product.