

Security Council Open Debate on Sexual Violence in Council, April 17th 2013, Security Council Chamber

Statement by Mr. Kolga, Permanent Mission of Estonia to the United Nations.

At the outset, let me thank the Secretary-General; the Special Representative of the Secretary-General on Sexual Violence in Conflict, Ms. Zainab Bangura; and Ms. Saran Keita Diakité, of the NGO Working Group on Women, Peace and Security for their briefings.

Estonia aligns itself with the statements delivered on behalf of the European Union and the Group of Friends of Women, Peace and Security.

Estonia is dedicated to protecting and promoting human rights and fundamental freedoms, both nationally and internationally. As a member of the Human Rights Council, Estonia's particular focus is on the rights of women and children, gender perspective in conflict settlement and the fight against impunity.

Estonia is proud of having been a sponsor of resolution 1820 (2008), on women and peace and security, wherein for the first time in a Security Council resolution sexual violence was recognized as a tactic of war and where it is noted that rape and other forms of sexual violence can constitute a war crime, a crime against humanity or a constitutive act with respect to genocide. We welcome the numerous steps taken in this field within the framework of the United Nations and commend, among other things, the work of UN-Women and the Secretary-General's Special Representative on Sexual Violence in Conflict.

Concerning the latest developments in the United Nations, we welcome the adoption of the agreed conclusions of the fifty-seventh session of the Commission on the Status of Women, in which the Commission urged States to strongly condemn violence against women and girls committed in armed conflict and post-conflict situations and called for effective measures of accountability and redress, as well as effective remedies.

Estonia is also very satisfied that the Arms Trade Treaty, recently adopted by the General Assembly, includes strong human rights and international humanitarian law criteria. In assessing the export of conventional arms, each country has to take into account the risk of those arms being used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children. We believe that the effective implementation of the Treaty will make a difference in the world. We urge States to apply the relevant articles that are provisionally pending prior to the Treaty's entry into force.

We appreciate the Secretary-General's report (S/2013/149) on which today's discussion is based. The report gives a shiver-raising overview of how widespread the terrible scourge of sexual violence still is. It also pointedly highlights emerging concerns such as the plight of children born out of rape, the practice of forced marriages by armed groups, sexual violence against men and boys, the displacement of civilian populations and the inadequacy of disarmament efforts. We note with serious concern that, as reported, sexual violence has been used to force internal and cross-border displacement in many places of the world and that women and children are also targeted both inside and outside refugee and internally displaced persons camps and settlements.

We share the assessment of Special Representative that fostering national ownership, leadership and responsibility in addressing sexual violence are some of the most important aspects in the fight against sexual violence. It is essential that local communities consider sexual violence as a crime. Regrettably, as noted in the report, often, as a consequence of being raped in conflict, there are

reports of coerced marriages of survivors to either the perpetrator or their family members. It is certain, as the report also notes, that compelling rape survivors to marry the perpetrators re-victimizes them. That results in impunity for perpetrators and sends the message that sexual violence is socially acceptable.

There is a wide range of tools available for preventing crimes of sexual violence, as well as for holding perpetrators accountable. The use of targeted sanctions by the Security Council, with a focus on specific individuals or entities suspected of bearing the greatest responsibility for such crimes, is an important aspect of deterrence. We welcome the fact that the Council has expanded its designation criteria to explicitly address sexual and gender-based violence. We look forward to the consistent application of that tool.

Estonia would welcome having all the Security Council Sanctions Committees consider focusing on crimes of sexual violence. In that context, it might be necessary to harmonize designation criteria for listed individuals and entities by including any relevant charges from the international justice mechanisms and, importantly, from the International Criminal Court (ICC).

The International Criminal Court itself has a unique role in setting a new tone in the fight against impunity for sexual and gender-based violence. The Rome Statute of the ICC prohibits an unprecedented number of gender crimes, including rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization and other forms of sexual violence as war crimes, crimes against humanity or genocide.

The Security Council has an important role with regard to the ICC, especially in the field of State cooperation with the Court. We strongly support the Council's calls for State cooperation and its commitment to an effective follow-up to its decisions in that regard. Resolution 2085 (2012), on Mali, and resolution 2098 (2013), on the Democratic Republic of the Congo, which called for the establishment of the African-led International Support Mission to Mali and authorized the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, respectively, to support the ICC's efforts, are important examples of the Council's commitment. We hope that the Council will continue to find ways and means to further support international criminal justice within the scope of its mandate.

Allow me to note that Estonia confirms its commitment to ending impunity and fighting sexual violence through its financial contributions in the field as well. In 2013, Estonia contributed financially to a UNICEF project in the Central African Republic for the prevention and response to gender-based violence. Also this year, Estonia will be contributing financially to the activities of the Office of the Secretary-General's Special Representative on Sexual Violence in Conflict and to the ICC Trust Fund for Victims.

In our view, the next important step for the United Nations would be to further implement monitoring, analysis and reporting arrangements on conflict-related sexual violence. We would also urge the further deployment of female protection advisers to Security Council-mandated missions. We must support the non-governmental organizations working in the field and protection for women's human rights defenders. It should also be noted that the overall goal of achieving women's empowerment and participation in society is inextricably linked to the fight against gender-based violence.

I would also like to take this opportunity to commend the Council's work on the issue of women and peace and security, including in the area of sexual violence in conflict, and to confirm my country's strong support for an even more systematic and comprehensive approach to that important issue.

Finally, I would like to remind the Council of something Ms. Bangura said recently: “I am sure there will come a time where the only place we can read about sexual violence in conflict is in the textbooks.” Estonia will be there to support that aim.