

Security Council Open Debate on Women, Rule of Law and Transitional Justice in Conflict- Affected Situations, October 18th, 2013, Security Council Chamber

Statement by Mr. Mayr-Harting, speaking on behalf of the European Union (EU) and its member States

As this is the first time that I have had the chance to speak under your presidency, Sir, I would first like to congratulate you on having assumed the presidency of the Council and wish you the best of luck in that important task.

I am speaking on behalf of the European Union (EU) and its member States. The candidate countries Turkey, the former Yugoslav Republic of Macedonia, Montenegro and Serbia; the countries of the Stabilization and Association Process and potential candidates Albania and Bosnia and Herzegovina; as well as Ukraine, the Republic of Moldova and Georgia, align themselves with this statement.

We thank the Secretary-General, Under-Secretary- General Mlambo-Ngcuka, High Commissioner Pillay and Ms. Brigitte Balipou for their statements here today. We also welcome the Council's adoption earlier today of resolution 2122 (2013), outlining further steps on women, peace and security.

We welcome the theme of today's debate, with its particular focus on the rule of law and transitional justice during and post-conflict, which have received limited attention to date. Yet the breakdown of the rule of law in conflict leads to a broad range of violations of women's and girls' rights. To address that challenge, post-conflict reforms need to be gender-sensitive and women's access to justice in conflict and post-conflict settings needs to be secured. Women need to be represented in the justice sector.

The provision of fair, transparent, effective and accountable justice mechanisms for all is crucial to ensuring the benefits of the rule of law for everyone. Women's and girls' rights must be secured; they must also be ensured in informal justice systems. Given the broad range of conflict-related violations of women's rights — including enforced disappearance, early and forced marriage, human trafficking and violations of economic and social rights — transitional justice processes need to address them in full. The EU is now working on establishing its policy on transitional justice. The way justice related issues are addressed in peace negotiations has a strong impact on the pursuit of post-conflict justice and mediators can play an important role in that regard.

The EU Concept on Strengthening EU Mediation and Dialogue Capacities aims to promote the representation of women and the availability of adequate resources for dedicated gender expertise at an early stage of the mediation process. We call on the United Nations system to increase the participation of women in mediation activities, including as chief and lead mediators, and to include gender experts in the mediation teams. Supporting women's civil society groups is crucial to developing domestic constituencies for women's engagement in conflict resolution.

We call on the Department of Peacekeeping Operations Office of Rule of Law and Security Institutions to ensure gender expertise in the planning of peacekeeping operations or special missions with rule of law mandates and the gathering of gender- aggregated data when making a baseline assessment of rule of law institutions.

We welcome the comprehensive approach of the report of the Secretary-General (S/2013/525) and particularly welcome the increasingly targeted and concrete recommendations for action. We underline the need for continued regular reporting and briefings to the Council. However, we note the need to further enhance the links between the information provided to the Council and the outcomes of the Council's work, particularly the mandates of the United Nations peace operations. We would also welcome reporting on the rule of law action point of the seven-point action plan on gender-sensitive peacebuilding.

We note positively the Council's growing practice of including sexual and gender based violence in the designation criteria for targeted sanctions regimes.

The European Union supports the work aimed at increasing the role of women in the prevention and resolution of conflicts and in peacebuilding, promoting women's equal participation in all efforts for the

promotion of peace and security and providing an integrated approach to prevent and punish acts of sexual violence, as well as to bring justice, services and reparation to its victims.

In that regard, we acknowledge the important contribution of the Rome Statute of the International Criminal Court to expanding the scope of gender and sexual-based violence. We encourage States that have not yet done so to ratify the Statute, enact domestic criminal legislation of those atrocious crimes and to routinely and systematically prosecute them as the primary means of ensuring accountability.

We commend the work of the Special Representative of the Secretary-General on Sexual Violence in Conflict, Ms. Zainab Hawa Bangura, and of the Team of Experts on the Rule of Law.

The increasing number of national and regional action plans for the implementation of resolution 1325 (2000) provides the opportunity to compare different experiences in order to further improve our work. To further map our actions and experiences, we support the call of the Secretary-General for an independent global study on the implementation of resolution 1325 (2000) to prepare for the 2015 high-level review. Finally, I again thank you, Sir, for organizing this important debate.