

Security Council Open Debate on Women, Peace and Security, (Conflict Related Sexual Violence)  
23 February 2012, Security Council Chamber

*Statement by H.E Ms. Ojiambo, Permanent Representative of Kenya*

Kenya welcomes the leadership shown by Togo in holding this debate during its presidency. The United Nations is commemorating the twelfth year since the unanimous adoption of resolution 1325 (2000) and two years since the adoption of resolution 1960 (2010). My delegation notes with satisfaction the commitment shown by Member States, the United Nations system, civil society and other actors in implementing those and related resolutions. Those resolutions, together with other international instruments constitute the bedrock for women's work on peace and security and also the basis for cooperation among all actors involved in this field.

Violence against women in all its manifestations must be dealt with firmly and decisively. In that regard, my delegation reiterates Kenya's commitment to the full implementation of resolution 1325 (2000) and the follow-up resolutions.

Sexual abuse is perhaps the most dehumanizing crime known to humankind. The international community currently has the framework to bring about more action and visibility to address this heinous crime in times of conflict. Prevention is the cornerstone of any strategy to address the challenges that society faces. We therefore must address the underlying causes of conflict that provide the springboard for redressing sexual abuse cases.

Preventive diplomacy as an intervention must be undertaken expediently to protect potential victims and to nip any kind of possible impunity in the bud. The Council has previously recognized a critical link between security issues and socio-economic concerns such as poverty, disease and environmental degradation. We believe that countries must systematically integrate and mainstream women specific issues in all action plans in order to tackle the growing problem of sexual and gender-based violence during conflict and even in peacetime. The need to mainstream a gender perspective into peacekeeping and peacebuilding initiatives cannot be overemphasized.

Following the post-election violence in Kenya in 2007, the Government set out an ambitious plan to put in place a new Constitution and build and strengthen institutions of governance that would be accountable to and responsive to the needs of its citizens. In clear recognition that all human development and human rights issues, including peace and security, have gender dimensions, Kenya has made great advances in mainstreaming gender in its institutions of governance. Indeed, arguably, such advances have not been made by any country in such a short period of time and during peacetime.

The judiciary is now fiercely independent; the investigation and prosecution branches have been revamped. A new Independent Electoral and Boundaries Commission has been established to better manage elections. Other institutions, such as the National Cohesion and Integration Commission and the Commission for the Implementation of the Constitution, have also been established and are currently monitoring the pace and quality of reforms, including the enactment of necessary legislation to avert any recurrence of events similar to those of 2007.

The Kenyan Constitution has entrenched women's participation in all aspects of Kenya's governance structures and societal life in general. By promoting full and effective participation and granting the Kenyan woman her rightful place at the decision making table, Kenya has ensured that there shall be nothing about society without women's involvement and genuine participation. But ever since the African Union/United Nations-sponsored mediation process that led to the formation of the coalition Government, Kenya has remained true to its promises and strived, against great odds, to

carry out its obligations responsibly. No single, simple metric conveys better the contrast between the situation as it then was and is now. Kenya's cooperation with the International Criminal Court and the putting in place of key legislation, such as the International Crimes Act and the Witness Protection Act, provide necessary legal safeguards for the effective prosecution of the perpetrators of post-election violence. Kenya is grateful to the United Nations Office on Drugs and Crime for its continued support in this regard.

The main thrust of resolution 1960 (2010) is the creation of an accountability system listing those parties credibly suspected of committing or responsible for patterns of sexual violence. Needless to say, there are no ongoing patterns of sexual violence in Kenya today, and none of the activities reported concerning Kenya took place during the current reporting period of 2010-2011. The post-election violence of January 2008 is therefore way outside the mandated reporting period. Additionally, Kenya's report has been lumped together with another situation with which there is no correlation. This is not to say that Kenya has not taken any action to redress the situation described in the report. Indeed, the Attorney General and the Chief Justice, both newly appointed, have been holding consultations on how best to deal with these cases.

In conclusion, I wish to note that all over the world, many women are denied their social, economic, political and civil rights. They are systematically discriminated against because of their gender. While I reaffirm Kenya's commitment to implementing resolutions 1325 (2000) and 1960 (2010), there is a nexus between violence against women and the economic and power structure. We must therefore emphasize on greater coherence and coordination in addressing women's issues in a fair and holistic manner in all situations. It is therefore imperative that consideration be given to how best to incorporate the activities of the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict with the work of UN-Women.

Finally, we reiterate that Kenya condemns all forms of violence against women, including sexual violence, and has always urged compliance with both humanitarian and human rights law during times of conflict. We believe that we have a duty, individually and collectively, to protect women from violence and other atrocities during times of war. Women also must participate in reconstruction efforts, free from threats, intimidation and discrimination during recovery or post-conflict periods. It is pertinent, therefore, that in all situations the special needs of women be respected and their concerns addressed. Women's perceptions, concerns and opinions must form an integral part of all decision-making processes. Indeed, traditional stereotypes that have ostensibly kept women away from decision-making forums must be broken.