

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

Statement by Ms. Lucas, Permanent Mission of Luxembourg to the United Nations

I would like to thank the Secretary-General, the Executive Director of UN Women and the High Commissioner for Human Rights for their statements. I would also like to express my gratitude to Ms. Brigitte Balipou of Femmes Africa Solidarité for having given us the views of civil society with regard to women, the rule of law and transitional justice in conflict situations, which is the very pertinent topic chosen by the presidency of Azerbaijan for our public debate today. I would also like to assure Ms. Balipou that her call with regard to the tragic situation in the Central African Republic has been heard.

Luxembourg wishes to associate itself with the statement that will be made a later by the observer of the European Union.

Justice in times of armed conflict or in post- conflict situations does not fundamentally differ from justice in times of peace. The objective of justice is always to come to a decision with regard to a wrong committed by one individual to the detriment of another: to ascertain its severity, to impose punishment and, where necessary, to order reparations. However, in specific cases of conflict or post-conflict situations, justice often operates, but imperfectly. The victims must overcome additional and very different obstacles from those in peacetime. For women, those obstacles can be truly crippling. For them, justice is often beyond reach, whether for legal, security or social reasons — without taking into account the fact that in post-conflict situations the judiciary itself is often ill- prepared to face the specific situations of women who have suffered the violence of war.

In that context, one cannot but emphasize the importance of transitional justice. Not only does it allow the possibility to redress past wrongs, but it also affords an opportunity to transform women's situations, thereby guaranteeing lasting peace in a more egalitarian society. The participation of women at all levels and in a timely manner is indispensable to guarantee that the new society that emerges from the rubble of war will grant women their rightful place with the full enjoyment of all their rights.

It is therefore essential that women be heard during peace processes and that they be involved in security sector and justice sector reforms. In a word, women must be full-fledged stakeholders rather than just spectators of reconstruction and peacebuilding.

Of all violations afflicting women in conflict situations, sexual violence, which constitutes a direct attack against physical integrity, unavoidably comes to

mind when one speaks of transitional justice and the issue of reparations. It is indeed difficult to imagine a society claiming to be fair and respectful of women's rights when thousands of survivors of sexual violence are denied their rights to see the perpetrators of that violence brought to justice. However, in many cases, post-conflict justice ignores the case of those women, often because it does not possess either the necessary expertise or the necessary resources to tackle the task.

Luxembourg backs the partnership between the intergovernmental Justice Rapid Response and UN Women. In cooperation with the Institute for International Criminal Investigations, that partnership has made it possible to establish a list of specialized experts on the investigation of acts of sexual violence. In that way, experts can be rapidly deployed as required. UN Women has already resorted to using such experts to assist the Office of the United Nations High Commissioner for Human Rights in numerous commissions of inquiry. Experts have also lent their assistance to the International Criminal Court. Luxembourg will continue to support that initiative, which reinforces both responsibility and the transitional justice process.

I would add that, in the past year, we supported a Department of Peacekeeping Operations project aimed at bolstering the role of women in the maintenance and building of peace, specifically by holding a regional workshop in Liberia to provide women leaders working for peace and security in West Africa an opportunity to share their experiences and to strengthen their networks.

The Security Council must play its full role in promoting the topic of women and peace and security. Unfortunately, there continues to be a clear gap between principled statements and the unanimous support of the Council for the issue of women, on the one hand, and the concrete implementation of those statements, on the other. We therefore support the recommendation by the Secretary-General's in his latest report that

“when establishing and renewing [United Nations] mission mandates, a more consistent approach with regard to the inclusion of gender-specific provisions could be sought.” (*S/2013/525, para. 73*).

By adopting resolution 1325 (2000), 13 years ago, the Security Council set itself bold objectives. Resolution 2122 (2013), which we have just adopted today — thanks in particular to the efforts of the United Kingdom — allows us to make progress. It underscores in particular the need for the Security Council to receive information more regularly with regard to the issue of women and peace and security. The resolution will bring new impetus as we near the fifteenth anniversary of the flagship resolution 1325 (2000), which will be an opportunity to take stock — positively one hopes — of its implementation.