

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. González de Linares Palou, Permanent Mission of Spain to the United Nations

I would like to thank Secretary-General for his commitment to this issue, for his report (S/2013/525) and for being present at this debate. I also thank Ms. Phumzile Mlambo-Ngcuka for her statement and congratulate her on her recent appointment as head of UN Women. Spain fully supports her in the performance of her duties.

Spain welcomes the fact that the Security Council has devoted three debates this year, with different approaches, to the women and peace and security agenda. The adoption of resolution 2122 (2013) today and of resolution 2106 (2013) in June consolidates a doctrinal and legal corpus that reflects the will of Member States to move from dialogue to action.

The approach chosen today for the current debate links two fundamental principles to which Spain is particularly committed: the first is the fight against impunity for crimes against women in armed conflict, and the second is women's participation in rebuilding the rule of law in post-conflict situations in order to put an end to the structures of inequality and discrimination in the context of which those crimes were committed.

Regarding accountability and the fight against impunity, the international community's efforts in that field should be recalled. That was highlighted during the Council debate of 24 June 2013 on impunity for crimes of sexual violence in conflicts (S/PV.6984) and the subsequent adoption of resolution 2106 (2013), which reiterates the importance of vigorously continuing to establish accountability for the most serious crimes committed against women and girls in conflict. On that issue, I would like to stress the need to address impunity for crimes committed against those who tend to be particularly discriminated against, such as women and girls with disabilities or indigenous women and girls.

Spain has actively contributed to such discussions in many forums in which such questions have been addressed and will continue to do so as long as the effective prosecution of those responsible for such crimes persists as a global challenge requiring urgent and priority attention.

With regard to full participation in establishing the rule of law, which means placing women at the centre of the decision-making processes in the post-conflict rebuilding phase, while giving particular attention to justice and security sector reform. Spain believes that that is the only way to end the discrimination that makes women suffer disproportionate violations of their rights during conflicts. It also enhances safeguards to ensure that such discrimination is not repeated.

The report of the Secretary-General clearly notes a positive trend in women's participation in mediation processes and the negotiation of peace agreements. However, the inclusion of matters that directly affect women and their rights in such agreements is still insufficient. That is what the United Nations Working Group on the issue of discrimination against women in law and in practice points out in its latest report. The Working Group expresses concern for the fact that the gender perspective is not sufficiently taken into account in transitional processes, which will result in a less inclusive peace.

On that count I would like to highlight the initiatives mentioned by the Secretary-General in his report that have promoted the involvement of women in crisis and conflict situations. I would like to highlight specific areas where Spain has participated. They are the High-level Conference on Women's Leadership in the Sahel Region, held in Brussels in April; the work of UN Women through counselling many countries on incorporating women's rights and gender equality in measures being taken to restore peace and guarantee justice in the context of a transition; and the general recommendation that the Committee on the Elimination of All Forms of Discrimination against Women has adopted today on women and conflict-prevention, conflicts and post-conflict.

As stated on many occasions, Spain devotes particular efforts to promoting a gender perspective in conflict situations and has had a plan of action on women, peace and security since 2007. Within that framework, our country carries out various actions within the scope of its foreign policy, cooperation and defence activities in

order to guarantee the correct implementation of resolution 1325 (2000). In particular, I would like to refer to the International Seminar on Gender Perspective and Peace Operations, coordinated by the Ministries of Foreign Affairs and Defence of Spain and the Netherlands. The sixth edition of that seminar will take place next November in The Hague. The seminar includes a specific module on the role of women in the disarmament, demobilization and reintegration processes, as well as on the processes regarding security sector reform. Spanish cooperation plays a leading role in that regard through the plan on gender-sensitive peacebuilding, with a chapter dedicated to gender-sensitive transitional justice and the rule of law. Furthermore, the Office for Humanitarian Action of the Spanish Agency for International Aid for Development has elaborated a guide to address sexual violence in humanitarian interventions.

I will conclude by quoting the words of the United Nations High Commissioner for Human Rights, who, on the occasion of an expert-level dialogue on the approach of the United Nations on transitional justice, pointed out that peace processes constitute historic opportunities for broadening the goals of post-conflict justice. Spain wants those opportunities effectively recognize women's rights, both in terms of guarantees of justice and conditions of peace.