

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. Logar, Permanent Mission of Slovenia to the United Nations

Let me begin by stating Slovenia's full alignment with the statement delivered by the European Union earlier today. We also join others in welcoming the adoption of resolution 2122 (2013).

As stated by some briefers and several speakers before me, women and girls are particularly vulnerable in conflict and post-conflict situations. It is therefore also extremely important to discuss the gender aspects of the rule of law and transitional justice in the light of the three elements of resolution 1325 (2000) — participation, prevention and protection.

Rebuilding justice and the rule of law is critical to any post-conflict transitional process burdened by the legacies of mass atrocities, serious human-rights violations and a weakened judicial infrastructure. A gender perspective, as well as the participation of women, should be injected into those processes. Transitional justice processes should address the full range of conflict-related violations of women's rights. As particularly vulnerable victims in conflict-affected situations, women experience grave consequences from breakdowns in the rule of law, in the form of a range of violations including, but not limited to, sexual and gender-based violence. In that context, Slovenia particularly welcomes the reference to the need for access to a full range of sexual and reproductive health services in the resolution adopted today (2122 (2013)).

Addressing abhorrent violations by ensuring access to justice, formal and informal, as well as full rights of redress, is essential to the process of reconciliation and lasting peace. Importantly, preventing impunity for the perpetrators of such crimes decreases the chance that they will recur in the future. Furthermore, the representation of women should be ensured in the justice sector. Eliminating violence against women and violations of their social and economic rights is a prerequisite for ensuring their full participation in recovery. Gender-sensitive legal and institutional reforms that conform with international standards are therefore needed.

The primary responsibility for the prosecution of conflict-related crimes, including violations of women's rights, belongs to States. However, while the principle of complementarity enhances national capabilities to prosecute such crimes effectively, more efforts must be made to improve criminal justice at the national level. The international legal framework for judicial assistance to countries should be strengthened. That includes extradition between States in order to support the effective prosecution of international crimes at the national level. Having recognized that legal gap, Slovenia has been working together with the Netherlands and Belgium on an initiative to consider the possibility of adopting a new international instrument for mutual legal assistance and extradition for the effective investigation and prosecution of the most serious crimes of international concern by domestic jurisdictions. We intend to continue our activities in that regard in the framework of the United Nations Convention against Transnational Organized Crime, and invite other States to join the initiative.

The role of international criminal courts and tribunals, in particular the International Criminal Court (ICC), remains crucial to the establishment of the rule of law, especially in cases where States are unable or unwilling to pursue accountability for serious crimes. Moreover, the contribution of international criminal justice, including the ICC, to the field of gender discrimination and crimes of sexual violence has been and will continue to be momentous. As stressed by ICC Prosecutor Bensouda in a panel on international criminal justice at a strategic forum held last month in Bled, Slovenia, the ICC should also be seen as an investment in the future of women and humankind as a whole. To that end, Slovenia will continue to firmly support the International Criminal Court and international instruments regarding individual criminal responsibility, and calls on States to accede to or ratify the Rome Statute and its amendments.

We also consider it important that the topic under discussion today be addressed by regional organizations as well, as important stakeholders in the task of ensuring peace and security.

With regard to the issue of women and girls and the justice sector, Slovenia is supporting a project aimed at improving the status of juvenile offenders, particularly girls, and strengthening the juvenile justice sector in the Afghan province of Herat. Activities envisaged for 2013 and 2014 will include the psychological rehabilitation

of underage girls in prison and their reintegration into society, and awareness-raising campaigns for the general public on the situation of imprisoned minors, as well as expert training for officials in the judiciary.