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SECURITY COUNCIL – OPEN DEBATE

WOMEN, PEACE AND SECURITY

STATEMENT BY MR. STEFAN BARRIGA, MINISTER, DEPUTY PERMANENT REPRESENTATIVE

Mr. President,

We welcome this open debate, in particular its focus on accountability for crimes of sexual violence in conflict, and thank you for the useful concept paper. While a continued emphasis on protection issues is crucial, we call at the same time for the same level of emphasis on the participation pillar of the Women, Peace and Security (WPS) agenda.

Mr. President,

In recent years, we have witnessed an alarming increase in the documented use of sexual violence in armed conflict, often as a method of warfare to achieve military goals. This can pose a threat to international peace and security, as the Security Council has affirmed in several of its past resolutions. But much remains to be done by way of an effective response. Ending impunity is clearly a central element in this respect – unfortunately though, we have to acknowledge that in practice the fight to end impunity has barely begun: effective justice for victims of sexual violence in conflict continues to be a great exception to the rule.

The necessary work to this end is closely linked to broader efforts to strengthen justice and the rule of law. An effective judicial response requires **States themselves** to strengthen domestic justice systems in all their aspects – where appropriate with the assistance of international donors and agencies. This includes guarantees for the independence of judges and due process, sufficient resources for prosecution and defence, and effective witness and victims’ protection. Indeed, particular emphasis should be placed on procedures that allow victims and witnesses to come forward while minimizing the risk of reprisals, and that take into account the severe trauma that may have been inflicted on them. The **International Criminal Court** also has an important role to play - we were therefore surprised not to see the ICC mentioned explicitly in the concept paper. The work of the Court can serve in particular as an incentive for Governments to deliver accountability, thanks to the principle of complementarity. The Court can also assist such work by providing information and evidence for use in domestic proceedings. The ICC Prosecutor, as is well known, has made the fight against sexual violence a focus of her work.

The **Security Council** should more often call on Governments to prioritize the strengthening of domestic justice systems and to offer international assistance to this end. But it should also be more assertive where national systems fail, through the establishment of fact-finding commissions, commissions of inquiry, and referrals to the International Criminal Court. Where domestic justice systems have broken down completely, such measures may often be the only way of creating deterrence and enabling longer-term justice processes. Evidence needs to be professionally collected at the earliest possible stages, a process that may be assisted *inter alia* by the Justice Rapid Response initiative (JRR). Liechtenstein is proud to give its support to the sexual and gender-based violence (SGBV) work of JRR.

The Council’s ability to respond depends on the availability of objective, accurate and reliable information. Monitoring, analysis and reporting arrangements as well as the work of Women Protection Adviser (WPAs) are therefore of continued relevance.

Mr. President

There seems to be a major design flaw in almost all of our current national and international efforts to bring about justice for crimes of sexual violence. The voices of **victims** are rarely heard. They may of course be interviewed as witnesses, and in rare cases may indeed receive justice, sometimes even reparation – in this context we particularly commend the work of the ICC Victims Trust Fund. But more broadly speaking, victims and their representatives and organizations are usually not at the table when we work toward ending impunity for sexual violence. This is lamentable and counter-productive, because a greater role for victims in this discourse could have a strong impact on the willingness of the relevant actors to bring about change.

Mr. President,

To conclude, we would like to briefly recall that sexual violence also affects men and boys, as stated in the concept paper. In this context, we would like to inform delegations about the next session of our lecture series on Women, Peace and Security. It will take place on 8 July 2013 and will focus on the role of men as perpetrators as well as victims of sexual violence in conflict.

I thank you.