

Security Council Open Debate on Sexual Violence in Council, April 17th 2013, Security Council Chamber

Statement by Mr. Mehdiyev, Permanent Mission of Azerbaijan to the United Nations.

At the outset, I would like to thank you, Madam President, for convening this open debate on women and peace and security. I also thank the Secretary-General, his Special Representative on Sexual Violence in Conflict and the representative of the NGO Working Group on Women, Peace and Security for their statements and presentations. We take note of the report of the Secretary-General (S/2013/149) on sexual violence in conflict and of the recommendations contained therein.

Azerbaijan welcomes the increasing attention being paid by the Security Council and the wider international community to this topic, which has contributed to developing a solid normative framework and to raising awareness on the impact that sexual violence has on victims, families and societies. The appointment of the Special Representative of the Secretary-General on Sexual Violence in Conflict and the establishment of a system-wide entity on women's equality and empowerment — UN-Women — has added a new dimension to the global efforts.

It is imperative that all parties to armed conflict strictly abide by their obligations under international humanitarian and human rights law. Azerbaijan reiterates its strong condemnation of all acts of sexual violence in conflict. There can be no tolerance for such acts, and all the necessary measures must be taken to bring perpetrators to justice and put an end to impunity.

As the Secretary-General noted in his report, national courts remain the principal venue for holding individuals accountable for crimes of sexual violence. At the same time, the lack of adequate national capacity and expertise to investigate and prosecute acts of sexual violence remains one of the main impediments to ensuring accountability.

We note, in that regard, the efforts of the Team of Experts on the Rule of Law and Sexual Violence in Conflict, which was established pursuant to resolution 1888 (2009), aimed at strengthening the capacity of national rule-of-law and justice actors.

The Secretary-General also noted in his report that “The focus of international criminal justice and mixed tribunals on combating acts of sexual violence, including rape, in the context of crimes against humanity, war crimes and genocide, represents an important complement to national efforts.” (S/2013/149, *para. 112*). Indeed, where national authorities fail to take action, the international community should play a more proactive role in ensuring an appropriate response.

Unfortunately, not all grave violations of international humanitarian and human rights law, including acts of sexual violence, have received due attention and response at the international and regional levels. Measures that are more resolute and targeted are required to end impunity in such situations. Commitments to protection efforts must be free of selectivity and politically motivated approaches and preferences. In that regard, Azerbaijan notes the role played by the Special Representative of the Secretary-General on Sexual Violence in Conflict pursuant to her mandate.

The establishment of rules with respect to gross violations of international humanitarian and human rights law, including sexual violence in conflict, and the provision of adequate and effective reparations are measures that aim, inter alia, to repair or reduce the immediate and long-term harm experienced by victims of such violations. It is therefore important to ensure that reparations are established through judicial or administrative mechanisms and made available to victims.

Furthermore, past wrongs left unpunished or unrecognized often impede progress in achieving long-

awaited peace and reconciliation and can even play a key role in the eruption of new conflicts and the commission of new crimes.

It is therefore important that the Security Council, Member States and regional organizations ensure that mediators and envoys in mediation, peace and preventive diplomacy processes can contribute to ensuring accountability, including by encouraging the parties concerned to envisage transitional justice and reparation clauses in peace agreements.

We also support the call of the Secretary-General for the use of United Nations mediation guidance in addressing conflict-related sexual violence in ceasefire and peace agreements.

It is also essential to employ all other available means to address sexual violence in conflict, including mandating international commissions of inquiry and fact-finding missions and supporting the implementation of their recommendations. We concur with the Secretary-General that those responsible for sexual violence and other human rights violations must be excluded from all branches of Government and that the principle of no amnesty for perpetrators of such offenses must be applied and implemented.

It is important that the Security Council consistently maintain its focus on protection efforts, including sexual violence in conflict. Azerbaijan will support more systematic and frequent discussion on the topic.

In conclusion I would like once again to commend Rwanda for convening this open debate.