

**Security Council Open Debate on Sexual Violence in Conflict, June 24<sup>th</sup> 2013, Security Council Chamber**

*Statement by Ms. Espinosa, Permanent Mission of Ecuador to the United Nations.*

We thank you, Sir, for having convened this open debate. At the same time, I would like to reiterate the position of Ecuador that the Security Council, in recognition of the value of keeping the discussion of the serious topic before us today alive, must constrain its actions in keeping with the provisions of the Charter of the United Nations in this as in all contexts — that is to say, with respect to matters posing a threat international peace and security.

The Ecuadorian Constitution defines our country as a territory of peace. Likewise, as a member of the Union of South American Nations, we have set out to build a region of peace where the peaceful resolution of disputes is promoted. We believe that this approach is fundamental to avoiding conflict. We understand that peace is not simply the absence of war, but that it requires us to work to eradicate poverty and inequality at the national and international levels. We must recognize that armed conflicts often arise in contexts of inequality between States resulting from an unjust international economic system and various forms of social exclusion and ethnic, religious and gender-based intolerance, which are determining factors at the root of armed conflicts and acts of violence. We must therefore call on States to avoid wars of aggression and the use of force against supposed threats and to respect the sovereignty and self-determination of peoples.

The current situation of conflicts around the world is extremely worrying. In this scenario, where the inequalities among States manifest themselves in asymmetric struggles in which those who control resources impose their force and will, the environment of conflict is influencing economic dynamics. Countries in crisis resort to the arms trade to strengthen their real economies. This leads us to wonder what has happened to the sense of global ethics. Nothing harms human rights more than fueling the economy with weapons.

Global military spending in 2012 totaled \$1.753 trillion, which is more than 2.5 per cent of global gross domestic product. The five countries with the highest military expenditure together represent more than four-fifths of total global military expenditure.

As we address the problem of sexual violence in conflict against this backdrop, it must be borne in mind that there exist social conventions whereby violence against women is permitted and has, unfortunately, come to seem normal and commonplace. Rapes committed during conflict are intended to terrorize, break families and communities apart, and transmit infections, and, at times, change the ethnic composition of populations. However, beyond the motivations for the use of such acts as weapons of war, they also contribute to the possession and control of women as pawns of war.

Sexual violence is a violation of fundamental human rights, and of the human rights and dignity of women in particular. Efforts to use international humanitarian law and international criminal law to protect women from sexual violence must be redoubled.

All States are responsible not only for ending such violence but also for ending impunity for war crimes, including those related to sexual violence. In Ecuador, the Constitution recognizes the right of people to live free from all forms of violence. Our Constitution also designates the armed forces as an institution to protect the rights, freedoms and guarantees of citizens, and that members of the armed forces may be judged only by the legal system, which is why the Military Justice Court was abolished in 2008. This reflects the determination of the State to ensure the impartiality of judges and to prevent impunity.

In keeping with these constitutional foundations, reforms to the penal code were introduced in 2010, and a chapter was included on crimes against people and goods protected by international humanitarian law, incorporating the crimes covered by the Rome Statute and providing for the severe punishment with extended prison sentences of 16 to 25 years for any military personnel who commit acts of a sexual or reproductive nature, including rape, against protected persons during an armed conflict.

It is crucial to bear in mind that the participation of women on an equal footing with men is indispensable for achieving peace. The State of Ecuador has incorporated the gender perspective into its National Plan for Good Living, but also has a national plan for the eradication of gender-based violence, which was established as State policy in 2007. The Ministry of National Defence promotes the concept of defence as a public good, and a gender approach is therefore incorporated into defence policy. Human rights are seen as an area for action in policy implementation, including through the promotion of policies of gender equality, coexistence and respect for cultural identity and the effective implementation of resolutions 1325 (2000) and 1889 (2009).

In March this year, we established the Ecuadorian Armed Forces Gender Policy, based on the principles of equality and non-discrimination, especially non-discrimination against women. The Policy emphasizes the strategic political importance of the participation of women in the military sphere, with equal rights and opportunities. The Gender Policy promotes change in the cultural patterns that lead to gender-based violence, is incorporated into the education of military personnel, and promotes educational programmes on preventing sexual violence, in particular in training troops.

To measure the impact of the Gender Policy with indicators, the Ministry of Defence has a computerized system for monitoring human rights, gender equality and intercultural matters. This system allows us to link cases of suspected human rights violations and gender-based violence, serving as a useful tool for building respect for human rights and gender equality in the armed forces and for eradicating violence against individuals, communities, ethnic groups and nationalities.

We believe that if each State establishes a national framework, international ones will be strengthened. No one should be beyond the reach of national or international justice in cases of gender violence, particularly sexual violence in situations of conflict. Hence Ecuador, as a State party, supports the International Criminal Court and calls on those States that have not yet done so, particularly those involved in conflict of any sort, to accede to the Rome Statute.

Finally, Ecuador stresses that combating impunity is vital in order to deal with the issue of sexual violence in conflict. But even more important is to address the causes of conflict, that is, the arms economy and violence committed by the powerful. Our commitment is to build a true culture of peace and new ways of coexistence.