

Security Council Open Debate on Sexual Violence in Conflict, June 24th 2013, Security Council Chamber

Statement by Prince Zeid Ra'ad Zeid Al-Hussein, Permanent Mission of Jordan to the United Nations.

We join other delegations in commending the United Kingdom for its outstanding, persistent and welcomed championing of this critical issue. We welcome the Foreign Secretary to New York, and we are also grateful to the Secretary-General and to Special Representative of the Secretary-General Zainab Bangura for their comments and insights this morning.

I will not delve into the scope of the mandate of Special Representative of the Secretary-General Bangura, a United Nations official whom we admire greatly and support, nor even speak of the very necessary role of the International Criminal Court, which, for us, is a logical given. What I hope to do in the next few minutes is pose a most basic question and make three broad suggestions.

I begin by asking this: do we, as a collective membership, bound together in this Organization and by its Charter, have the credibility to offer strong opinions on this subject matter? Do we have the credibility when together we have all refused to undertake the complete range of actions necessary to ensure that sexual abuse and exploitation by our own peacekeepers, United Nations peacekeepers, be reduced to zero?

Can we not be accused by others of brazen hypocrisy when we condemn in this Chamber all expressions of conflict-related sexual violence committed against women, girls and boys, and speak of them as unjust and intolerable — and we have done this for 13 years now — and then down the hall, only a few metres from here, in the Sixth Committee, we do next to nothing, year in and year out, on the draft convention on criminal accountability of United Nations officials and experts on mission, a draft which has been on the agenda of the Sixth Committee since 2007.

Do we have any credibility when we insist that the United Nations has no business in relation to the conduct of investigations into alleged crimes committed by our own United Nations uniformed peacekeepers, knowing that in the past we, the Member States, were not reliable enough in guaranteeing that justice was done in respect of the victims?

Are we credible when in 2012, the last Office of Internal Oversight Services reporting period, we still had 42 cases of sexual exploitation and abuse involving United Nations peacekeepers being investigated by that Office? By now, some seven years after we identified both the challenge and the plan needed to eliminate this odious phenomenon, there should be practically no cases at all. I do not wish to be misunderstood: if we had done everything we should have done over the past seven years to ensure the total elimination of this abominable practice by our own peacekeepers, and they still occurred, then we could accept that there is little more we can do. But we, as Member States, have not done everything, and so we cannot make that claim.

The United Nations is required to set an example before our publics as an Organization that will without question pay special attention to the most vulnerable and defenceless protected persons in war, with, first, a guaranteed protection provided by ourselves, from ourselves and then from others. My intention here is not to cast doubt on or belittle the outstanding service and contributions of United Nations peacekeepers. As a former peacekeeper myself, I would never do that; I would never disgrace their efforts. I know only too well and first-hand what they do and can endure. But I also know that we have long treated those individuals who dare commit sexual abuses too lightly. Indeed, while it is they who in the end disgrace United Nations peacekeeping, we on occasion also contribute to it by our clear indifference. I hope that this debate will restart this discussion.

So what must we do regarding United Nations peacekeeping? We must adopt the convention on criminal accountability as soon as possible; we must make the United Nations a co-examiner of the facts, even when the allegations involve United Nations military personnel. We must be more transparent regarding the severity and nature of the crimes being committed by United Nations peacekeepers. We must do better on matters relating to paternity. In situ court-martials for military offenders must be the rule and not the exception for sexual offences, and we must consider again the proposal that all United Nations personnel destined for field service submit a sample of their DNA to the United Nations before they embark, both to serve as a deterrent to the commission of crimes and also for the sake of possible subsequent investigations, including establishing paternity. And, lastly, we, the Member States, need to report to the UN clearly and at the earliest possible time, what judicial steps were undertaken by our authorities with respect to the alleged crimes.

Beyond United Nations peacekeeping, what else should the United Nations do to assist societies or countries in war, or emerging from war, to address sexual violence and end impunity?

The United Nations, in our opinion, requires a single vehicle for the delivery of judicial and legal advice. My delegation has been saying this for many years now. So crucial is a functioning, credible judiciary to every State's existence, it is remarkable that, 68 years after the founding of the United Nations, while we have single-purpose departments and agencies for almost everything, we do not have one for this: only a hodge-podge of rule-of-law offices, representatives, units and experts scattered throughout the Secretariat and specialized agencies.

It would be like having a major modern hospital containing wings dedicated to every known medical specialty and sub-specialty, but with no division dedicated to cardiology or cardiovascular surgery — only a few cardiologists scattered throughout the hospital — because somehow we thought the heart did not merit it. What we have is simply insufficient.

The United Nations needs a service, a full-fledged department that, on request, can advise Member States that seek to upgrade or reform their judiciary or prosecution services or wish to improve their penal codes. United Nations missions of every variety would also require its services. If we are to be serious about ending impunity for sexual crimes in the context of war, that is what we need. Teams of experts are a good start where the action of the Security Council is concerned but fall woefully short of what is required, and I myself have seen this in United Nations field operations.

Secondly, we must support all and every effort aimed at the creation of an international repository for evidence — a complicated business, we know, owing to concerns relating to contamination and admissibility. Nevertheless, we must try to set it up. We would then be in a position to better assist national jurisdictions that are incapable of or unwilling to prosecute during conflict, but would in some cases be better able to do so post-conflict. Such a facility could also be of service to the International Criminal Court.

Finally, while my delegation believes that it is of course necessary to focus on women, girls and boys as the obvious victims of sexual violence in the context of war, there is an unfortunate aspect to that view, which is that we give the impression that only the young count. In all conflicts, in our experience, it is the elderly, women and men, who are often the most vulnerable to the horrors of war, simply because their immobility in many cases means they cannot flee. Elderly women can therefore be, and often are, more easily assaulted sexually and then murdered, than younger women. Without, of course, taking our eyes off the young, we should all also pay more attention to the elderly and disabled in war than we have done thus far.