



Permanent Mission of Guatemala to the United Nations  
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*(Check against delivery)*

**STATEMENT OF AMBASSADOR GERT ROSENTHAL  
OPEN DEBATE OF THE SECURITY COUNCIL OF THE UNITED NATIONS  
ON WOMEN AND PEACE AND SECURITY:  
SEXUAL VIOLENCE IN ARMED CONFLICT**

**(April 17, 2013)**

Madam President:

We thank the Rwandan Presidency for convening this important Open Debate. It is particularly relevant that this debate is chaired by Minister Louise Mushikiwabo, to whom, we extend our recognition. We also thank the Secretary-General for the presentation of his report; we are very aware of his commitment to fight against sexual violence in armed conflict.

We also welcome Mme. Zainab Hawa Bangura for her great job and because she has already had a significant impact in the field of her mandate. We appreciate the presentation of her recent visits to Somalia and to the DRC, which demonstrates, at least in those countries, the extent and the seriousness of sexual crimes, including rape as a weapon of war. We appreciate Ms. Sara Keita Diakité for her sensitive presentation. This motivates us to continue promoting the systematic inclusion of sexual violence in country-specific resolutions and the authorizations and mandate renewals of the various missions of the United Nations.

We recognize the importance that mediators and envoys in mediation, ceasefire, peace and preventive diplomacy processes engage in dialogue with the parties to conflict on sexual violence, and that this also is addressed in peace agreements. We agree with the recommendation of the Secretary-General that sexual violence should be prohibited by ceasefires and concretely included in their provisions relating to security and transitional justice. It should be recalled, in this regard, that the Organization has developed guidelines for mediators on how to address sexual violence in armed conflict. These should be part of the training and awareness of teams that negotiate ceasefire and peace agreements.

We have participated in several informative events by agencies of the system and non-governmental organizations working in areas under armed conflict. The stories they tell are heartbreaking, and support the urgent need for victims and survivors of sexual violence to have access to medical services, HIV-related treatment and care. It is also necessary to address the plight of survivors who bear children as a result of rape, which are then victims of stigma and social exclusion.

We are aware of the priority to be given to the development and strengthening of the capacity of national institutions, particularly health systems, judiciary and social welfare,

as well as local civil society networks. This is certainly a field where the public-private partnership has special relevance.

It is also worth mentioning the critical role of women's organizations of civil society in support of the prevention and resolution of armed conflicts and the consolidation of peace. That was precisely the approach of the Presidential Statement that was adopted under our Security Council Presidency in October of last year. Also in that Statement, as part of the fight against impunity for perpetrators of crimes of sexual and gender-based violence, the Council categorically condemned all violations of international law committed against women and girls in armed conflict and post-conflict situations.

Guatemala has supported without reservation the work that the Security Council has been developing for the last years, trying to strengthen collective action to combat sexual violence in armed conflict, through resolutions 1820 (2008), 1888 (2009) and 1960 (2010). Now that we are elected members of this Council, our commitment has deepened even more.

In this regard, we are encouraged by the important change in the treatment of sexual violence by the International Criminal Court, such as occurred with the charges against Bosco Ntaganda that included crimes against humanity, rape, sexual slavery and war crimes. The same could be said about the prosecution of Jean-Pierre Bemba. Both cases set jurisprudence with regard to the principle of the responsibility of commanders for sexual violence as a war crimes and crimes against humanity. This constitutes an important complement to the work of national courts and mixed tribunals in the fight against deeply rooted discriminatory practices, embedded in a culture of impunity.

In addition, it helps us to combat the perception that it is useless to denounce the crimes of sexual violence, and aims at contributing to the strengthening of justice administrations, both civil and military, to hold those responsible before the law. Moreover, it also helps to achieve specific commitments to prohibit sexual violence by senior ranking officials of the armed forces and armed groups, and to adopt codes of conduct that prohibit sexual violence.

We believe that another step in the right direction, is the judgment in the case of Thomas Lubanga, who was not charged with crimes of sexual slavery and rape, the judgment does include specific guidance on the reparations for the victims of sexual violence, repairing in this way the immediate and long-term harm experienced by victims. This act of international justice entails the hope, dignity and compensation for the victims, as well as accountability for the perpetrators.

The above leads us to conclude that the list of parties and even of individuals, annexed to the report of the Secretary-General is useful, containing those credibly suspected of committing or being responsible for systematic rape and other forms of sexual violence during conflict and post-conflict situations, and that we must increase the pressure on those responsible for these acts and, when appropriate, elevate their names to the relevant committees.

Thank you very much, Madam President.