



**PERMANENT MISSION
OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS
NEW YORK**

NEW YORK, 15 APRIL 2015
SECURITY COUNCIL – OPEN DEBATE
SEXUAL VIOLENCE IN CONFLICT
STATEMENT BY MR. STEFAN BARRIGA
MINISTER, DEPUTY PERMANENT REPRESENTATIVE

Madam President,

The scourge of conflict-related sexual violence continues unabated. **Non-state armed actors and extremist groups** have been primarily responsible for these egregious crimes, often used as a tactic of terrorizing civilian populations and a method of warfare. While women and girls are the primary targets of this type of violence, men and boys are also affected. Security Council resolution 1325 on Women, Peace and Security, which celebrates its 15th anniversary this fall, and its follow-up resolutions constitute the comprehensive framework that should guide our actions. Especially as we deal with the multi-faceted challenges posed by groups such as Daesh, the international community should attach high priority to fighting sexual violence. One small yet meaningful step this Council could take would be to consistently use conflict-related sexual violence as criterion for the imposition of **targeted sanctions**. Member States can also play an important role by holding terrorist fighters to account for the crimes they committed abroad, especially when those crimes involve sexual violence.

Madam President,

The surge in conflict-related sexual violence is also a challenge to the authority of **international humanitarian law**. Liechtenstein strongly supports efforts to enhance compliance with IHL, in particular through improved monitoring. In this regard, we have high hopes for the joint initiative by Switzerland and the ICRC aimed at strengthening compliance mechanisms. This should also include greater efforts to ensure effective accountability at the national level, as required under the Geneva Conventions.

National ownership and leadership are key to successfully tackle the challenge posed by conflict-related sexual violence. I would like to commend SRSB Bangura, UN Action and the Team of Experts on the Rule of Law and Sexual Violence in Conflict for their efforts. During the last few years, they have had a significant impact in improving the knowledge and capacity of key players in the fields of security, justice and conflict resolution, both domestically and within UN field missions. It is crucial to address this issue through a comprehensive effort and to hear the voices of all concerned – including women and survivors.

Madam President,

Fighting impunity is an essential component of our response to conflict-related sexual violence. While the primary responsibility in this regard lies with States, the Security Council and the **International Criminal Court** can play important complementary roles. Nearly every case currently before the Court addresses sexual violence. The ICC Prosecutor's Policy Paper on Sexual and Gender-Based Crimes¹ reaffirms her commitment to pursuing sexual and gender-based crimes as a matter of priority. In addition to providing justice to the victims of sexual violence, ICC investigations and prosecutions can also deter the commission of future crimes.

¹ See Policy Paper on Sexual and Gender-Based Crimes, June 2014, available online at <http://www.icc-cpi.int/iccdocs/otp/OTP-Policy-Paper-on-Sexual-and-Gender-Based-Crimes--June-2014.pdf>.

Recent research² has shown that, under certain conditions, the ICC can prevent crimes through prosecutorial deterrence (signalling the possibility of legal consequences) as well as social deterrence (the possibility of extra-legal consequences such as rejection by the community or informal sanctions).

Of course, the ICC's impact will always be limited to situations within its jurisdiction. It is the Security Council's responsibility to ensure that appropriate **situations involving sexual violence are referred to the Court**. The Council's role does not end with the referral, however. As States Parties to the Rome Statute have stressed time and again, consistent follow-up to ICC referrals is essential to their success, and the Council's track record in this respect is mixed at best. We therefore call on the Council to match its stated commitment to the survivors of conflict-related sexual violence with appropriate action, including action to ensure State cooperation with ICC investigations requested by the Council.

I thank you.

² <http://www.ipinst.org/2015/03/assessing-the-deterrent-effects-of-the-icc>. See also Jo, Hyeran and Simmons, Beth A., Can the International Criminal Court Deter Atrocity? (December 18, 2014). Available at SSRN: <http://ssrn.com/abstract=2552820>