

INTERVENTION BY MR. P.V. JOSHI, MEMBER OF PARLIAMENT AND MEMBER OF THE INDIAN DELEGATION, DURING THE 2008 PARLIMENTARY HEARING AT THE UNITED NATIONS ON THE SUBJECT 'TOWARDS EFFECTIVE PEACEKEEPING AND THE PREVENTION OF CONFLICT DELIVERING ON OUR COMMITMENTS' SESSION II – SEXUAL VIOLENCE AGAINST WOMEN AND CHILDREN IN CONFLICT AT THE 63<sup>RD</sup> SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY ON NOVEMBER 20, 2008



Mr. Chairman,

Thank you for this opportunity to speak on this important issue.

Sexual violence against women and children is an unacceptable crime that unfortunately remains a serious modern-day challenge. India has taken note of Security Council Resolution 1820 of June 2008, which called for immediate and complete cessation of all acts of sexual violence against civilians by all parties to an armed conflict. Regrettably, instances of violence against women and children continue to rise, despite repeated and forthright international condemnation and an increase in collective

efforts to stop such violence. It is a matter of great shame that in this day and age, women and girls remain victims of sexual violence, and are often targeted for such violence as part of an effort to humiliate, dominate, instill fear in, and eventually as a means to instigate forcible relocation of peoples. Such violence leaves permanent psychological scars in the victims, and in their societies.

Mr. Chairman,

There are adequate international legal agreements as well as domestic statutory laws that condemn such violence. No society or country can ever justify this practice. The fact that such violence persists is not due to the deficiency of legal measures to punish perpetrators. In our view, the problem lies in the implementation of such measures. We agree that adequate training must be given to troops, including through the extension of training to inculcate sensitivity to such issues, especially those involved in peacekeeping and peacemaking efforts. At the same time, governments must also ensure the application of appropriate disciplinary measures whenever these are necessary.

At the same time, there is also a need for greater involvement of women in peace making, peace keeping and peace building processes. Women must be involved in all aspects of decision making, especially in conflict situations, and thereafter as well, as active participants in the post-conflict phase. It is for the UN to set standards in all conflict or post-conflict zones by encouraging greater involvement of women in its activities. In this context, as the nation that provided the first all-women Formed Police Unit in a UN Mission, we appreciate the effort to expand the inclusion of women in peacekeeping operations. I reiterate India's commitment to assist the UN in reaching out to vulnerable sections, particularly women and children, in conflict and post-conflict societies.

Mr. Chairman,

Another way of setting an example is by ending impunity and meting out swift punishment to the perpetrators of crimes against women and children, in accordance with the obligations States have undertaken under international humanitarian law and international human rights law. Swift and exemplary punishment, within existing laws, will deter others from committing such acts. At the same time, it is essential to bear in mind the primary responsibility of nation States to respect and ensure the protection of the human rights of all of its citizens.

Mr. Chairman,

Concern over sexual violence should not be restricted to cases of armed conflict alone, even though this is certainly of great concern to all of us. It must also be recognized that such violence, unfortunately, occurs in all countries and must be

urgently and seriously addressed. In India, we have a statutory legal provision for punishing perpetrators of such crimes, but in order to strengthen this further in the context of domestic violence, we enacted in 2005 'The Protection of Women from Domestic Violence Act'. This has become an important milestone in tackling this scourge in India.

From this standpoint, we see merit in a larger international effort to root out such violence against women and children. It should be based on the application of suitably-drafted legislative measures, improved enforcement and implementation of such legislation, capacity building and training programmes for the promulgation of gender-related legislation, and the creation of support services for victims. It should also be our endeavour to create an enabling environment for women; an environment that is safe and free from violence, making it possible for women to be full stakeholders and partners in every country's development. We can and must do so by actively expanding the participation of women in decision and policy-making processes.

Thank you, Mr. Chairman.

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