



**General Assembly**  
**Informal Interactive Dialogue on the Responsibility to Protect**

Secretary-General Report "Mobilizing collective action: the next decade of the responsibility to protect"

**Statement by H.E. Ambassador Antonio de Aguiar Patriota**  
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*(check against delivery)*

Mr. President,

At the outset, allow me to congratulate Ivan Simonovic for his appointment as Special Adviser on the Responsibility to Protect. I also take this opportunity to voice my appreciation for the job done by his predecessor, Jennifer Welsh, always marked by respectful and constructive engagement with all delegations.

Brazil welcomes the convening of this informal dialogue, as it provides us with an opportunity to assess the most recent report of the Secretary-General. We are however of the view that the format of in which these dialogues have been taking place should be improved in the coming years. It is regrettable, for instance, that the informal nature of this meeting does not allow for proper records of this very debate to be kept for future reference - something crucial not only for the sake of transparency, but also to better understand each others' concerns and identify common ground. The 3-minute limitation for statements does not allow delegations and civil society to fully articulate their ideas on an issue of unquestionable importance and that, as acknowledged by the Secretary-General, still coexists with "outstanding conceptual questions".

Since 2005, the Security Council adopted 50 resolutions that refer to the responsibility to protect – 13 of them over the last year. As the most inclusive and democratic organ of the United Nations, this General Assembly should not shy away from assuming its legitimate role in shaping the debate on enhancing the protection of populations from genocide, war crimes, ethnic cleansing and crimes against humanity. It is high time the General Assembly recovers ownership in this realm and provides an objective reflection of the lessons learned over the last eleven years. Brazil remains convinced that the adoption of a meaningful and forward-looking General Assembly resolution on R2P would be pivotal in this endeavor.

Mr. President,

The 21<sup>st</sup> Century provides sufficient ample evidence to the effect that, more often than not, military intervention increases civilian suffering and vulnerability, due to unintended casualties, suffering and destruction, as well as to the dissemination of instability. In short, we have witnessed more than sufficient examples of interventions that caused more harm than good. This is why, in exercising its responsibility to protect, we must simultaneously exert a responsibility while protecting.

In other words, our collective responsibility does not need to translate into collective security action in order to be effective: often times, it can be fully exercised through non-coercive measures - or, if coercion is considered, through sanctions rather than military intervention. We need to value, pursue and exhaust all non-military means available for the protection of civilians under threat of violence. Brazil concurs with the Secretary-General in his assessment that "the use of particular preventive and responsive tools can and frequently should follow a sequential logic" - meaning, above all, that the use of military force should not be our first, but our last option. This is what stands behind the notion of "logical sequencing" alluded to in the RWP concept paper (A/66/551-S/2011/701).

Under exceptional circumstances, if military intervention is envisaged and duly authorized, its implementation must be judiciously carried out so as not to harm those whose very protection is being invoked. Action must be judicious, proportionate and strictly limited to the objectives of the mandate. Member States have a right to expect full accountability from those to whom authority is granted to resort to force.

In this regard, Brazil welcomes that the consideration of reporting and reviewing procedures for the implementation of Security Council resolutions was listed by the Secretary-General in his previous report as a priority for the present decade. In order to achieve this, Brazil has proposed two practical steps, both of draw inspiration from already existing mechanisms created by the Security Council. Firstly, to draw from the peacekeeping framework the use of sunset clauses and enhanced reporting to delegations. Secondly, to create monitoring mechanisms by establishing panels of experts modeled after those which oversee the work of UN sanctions committees.

It is crucial that the Security Council be kept well informed about military action carried out on its behalf in order to adequately fulfill its role in legitimizing the use of force. This role involves not only deciding whether to initiate armed coercion but also ensuring its proportional use and assessing the appropriate time to conclude military operations, thereby ensuring compliance with the respective mandate and with international humanitarian law.

Mr. President,

R2P is more about prevention than about response. For the concept to live up to its original humanitarian *ethos*, it must not be interpreted as primarily aimed at the imposition of coercive measures - but rather as an enabler to assist States in developing the capacity to protect their populations and in building safer societies. Prevention should be interpreted in broad terms: it involves promoting sustainable development, food security, the eradication of poverty and the reduction of inequality. It involves addressing intolerance, discrimination and other legitimate grievances that may be at the root of conflict. And it involves taking preventive diplomacy seriously, with priority being given to situations that present high risk, such as the Israeli-Palestinian conflict.

International criminal justice also plays a crucial role, including due to its deterrent effect. As a proud founder of the International Criminal Court, Brazil encourages those who have not yet done so to ratify the Rome Statute. It represents a key dimension of the rule of law that all States should commit to.

Mr. President,

Allow me to return to the question of the desirability of a General Assembly resolution on this subject. Brazil is convinced that it would contribute to overcome mistaken assumptions and clarify the areas of convergence that unite us. We all share a common commitment to protect civilians in situations of conflict. We are ready to exercise our individual and collective responsibilities in full conformity with the UN Charter and international human rights, humanitarian and refugee laws.

Individuals in one State are no less deserving of our protection than those in other States, including in illegally occupied territories. In the context of the current refugee crisis, a recommitment to our responsibility to protect is crucial. It is after all inconsistent to uphold the notion of a collective responsibility to protect civilians in situations of conflict and turn one's back on the very civilians fleeing atrocities when they knock on your door.

Finally, Mr. President,

Brazil shares the Secretary-General's frustration with the growing inability of the Security Council to provide solutions for situations in which civilians are endangered. We are convinced that one important aspect of the problem lies in the organ's composition and methods of work. A reformed Security Council, with expansion in both categories of membership, has become an overdue task for the Organization. We also agree with the Secretary-General in his assessment that the protection of civilians would benefit from greater interaction between the Security Council and the Peacebuilding Commission.

Thank you.