

Statement delivered by Ecuador – Informal Interactive dialogue on R2P, 6 September 2017
[TRANSLATION]

Moderator,

We are holding this interactive dialogue which allows us to clearly express the position of our country upon such an important issue for the international community. We would like to thank the Secretary-General for his report on the Responsibility to Protect. The resolution 6801 of 2001 clearly shows what the Responsibility to Protect is when it is clear that a state cannot or it enables willing to protect its own population. The international community's commitment to adopting collective measures as mentioned in this resolution can only happen through the Security Council in compliance with the United Nations Charter. Any use of force outside this framework is illegal and illegitimate with no legal value and is an act of aggression against a sovereign state, whoever may commit it and whatever excuse they might use to justify it. The state of Ecuador recognizes the Responsibility to Protect population's intrinsic notion of sovereignty of states, but it rejects the notion of preventive use of force as part of the concept of the Responsibility to Protect. We would like to highlight a few substantial elements in this discussion.

First of all, R2P is a concept which is still being analyzed and discussed between the member states of the organization and is undergoing this process. Only the General Assembly of the United Nations has the legal capacity and authority to move forward with this definition, in order to set the conceptual parameters, as well as the institutional and political parameters for it, in order to make the Responsibility to Protect practicable.

Secondly, it is recognized that conflicts worldwide are linked to situations of discrimination, marginalization, exclusion and illegal occupation of territory. These are conflicts which cannot be resolved just by using force.

Thirdly, for my delegation it is very clear that the Responsibility to Protect applies to crimes under paragraphs 138 and 139 of the resolution mentioned with regard to war crimes, ethnic cleansing and crimes against humanity. In other words, this is what we are talking about and resolving conflicts via peaceful means is the only legal and affective way to go in order to avoid such crimes from being committed, as under the Charter of the United Nations and international law and the various measures of application. We need to adopt measures in a timely and decisive way and this can only be done if the member states are fully sure that the Responsibility to Protect will be used exclusively to prevent crimes as described above and not as a pretext for other interventions for a political end.

Moderator,

Finally, we should like to state the legitimacy of the concept of R2P can only be based upon the following elements: establishing clearly the motives which can be considered as sufficient to legitimize international intervention. Also, clearly establish using a case by case analysis the

limitations or restrictions of the possible intervention, with regard to things like a change in regime or territory. The use of force must be a final resort and used when other peaceful means of dispute settlements have been exhausted, as under the Security Council. Other measures following on from resolutions will avoid the use of force so it does not go beyond those limits fixed on the concept of security.

Finally, the United Nations Charter must be followed in the way in which military troops acting on behalf of the international community can be deployed so that military operations are not privatized.

Thank you very much.