



## Excerpts of R2P related comments in government statements

### **Security Council Open Debate on the Protection of Civilians in Armed Conflict 14 January 2009**

#### **Austria**

Austria associates itself with the statement to be delivered by the representative of the Czech Republic on behalf of the European Union later in this meeting. (...) First of all, we have seen an increasing focus on efforts to integrate protection concerns into peacekeeping mandates, increased efforts to fight impunity at the national and international levels, as well as the acceptance of the responsibility to protect. Those are developments in our debate that we welcome.

#### **Australia**

Finally, I would like to touch briefly on the principle of the responsibility to protect. We look forward to receiving the Secretary-General's report on the responsibility to protect in the coming days. We expect the report to contribute to a shared conceptual understanding of the principle that was agreed by our leaders at the 2005 World Summit and to a shared appreciation of what is required on the part of Member States and the United Nations to implement the principle.

While implementation of the responsibility to protect requires action by a wide range of actors, the World Summit Outcome and the Charter of the United Nations give the Security Council a specific role to play in its implementation. To prevent mass atrocity crimes, the Council must ensure it uses the means at its disposal in timely and innovative ways. To take forward the Council's role, there is a need for it to be more receptive to early warning information from a wide range of sources, more willing to put country situations in which people are at risk on its agenda, and more prepared to take early action designed to address the situation at hand. And Member States, of course, need to support such Council action.

#### **Bangladesh**

My delegation wishes to draw the international community's attention to the fact that Israel, as a signatory to the relevant provisions of the Fourth Geneva Convention, which stipulates the responsibilities of an occupying Power, cannot legally or morally absolve itself of its responsibilities for guaranteeing the basic human rights of the people under its occupation. In this regard, my delegation would like to re-emphasize the importance of the principle of the responsibility to protect, as endorsed in the 2005 World Summit Outcome, in preventing harm to civilians in armed conflict.

## **Belgium**

The horrors of numerous wars prompted the international community to develop humanitarian law as we know it today, including with regard to the protection of civilians in conflict situations. Likewise, the mass atrocities committed against civilian populations, even in non-conflict situations, have led to the emergence of the idea of the responsibility to protect. Belgium cherishes that concept, which was adopted by the General Assembly in 2005, for it emphasizes the duty of each State to protect its population against the clearly identified ultimate crimes of genocide, war crimes, ethnic cleansing and crimes against humanity.

(...) The Council must also now integrate fully the notion of the responsibility to protect into its work. It already does so in a number of ways: by instituting good offices missions, fighting impunity, combating the use of child soldiers and through the Peacebuilding Commission.

## **Burkina Faso**

Ensuring the protection of civilian populations is primarily the responsibility of States and of parties to conflicts. They must fully shoulder their obligations under relevant national and international legal instruments. They must not only cease their reprehensible actions but also enable unconditional access to victims by humanitarian personnel.

The international community must also shoulder its responsibilities by providing resources to assist civilian populations. That is why thinking about the responsibility to protect should become more profound in order to avoid repetition of tragedies that we have witnessed in the recent past. We must reconcile the rights conferred on States by their sovereignty with the duty of the international community to react in an urgent and appropriate manner in cases of humanitarian disaster due to the inability of or refusal by a State to end that disaster.

## **China**

[T]he role of Governments in the protection of civilians should be respected and supported. Governments bear the primary responsibility for protecting their civilians. While the international community and external forces can provide constructive support, they must follow the provisions of the Charter, fully respecting the wishes and refraining from undermining the sovereignty and territorial integrity of the countries concerned, and even more so from forceful intervention.

## **Croatia**

While the primary responsibility for protecting civilians lies with the State, world leaders at the 2005 World Summit recognized the responsibility we all share to protect vulnerable communities from genocide, war crimes, ethnic cleansing and crimes against humanity. The international community has already demonstrated its preparedness to take collective action when national authorities manifestly fail to investigate, prosecute and adequately punish violations of international humanitarian law. We should not be seen wanting in translating these words into action.

## **Czech Republic on behalf of the European Union**

The EU emphasizes the need to develop in parallel additional concepts based on the aim to protect civilian populations, human security and the responsibility to protect. The EU welcomes

the endorsement by heads of State and Government of the principle of the responsibility of protection [*sic*]; therefore, we call for the full implementation of this principle by the Security Council as well as by the General Assembly. The EU is ready to contribute and commends other organizations or groups for taking initiatives to make this principle a norm in international relations.

Regrettably, in many conflicts, impunity prevails due to the lack of political will and action. Therefore, the Security Council should make clear once again that any action against civilian populations, including genocide, war crimes and crimes against humanity, are unacceptable. The International Criminal Court (ICC), the International Criminal Tribunals and the special courts are working hard to promote peace and justice. The EU encourages all States to provide their full support to the ICC by acceding to the Rome Statute and cooperating with the Court. All appropriate measures should be used to prevent violence and to bring to justice perpetrators of serious violations of human rights and international humanitarian law. The EU would also like to express its full support for the Special Adviser to the Secretary-General on the Prevention of Genocide.

### **Egypt**

Egypt's efforts to establish an immediate ceasefire between both sides [in the current crisis in Gaza] continue, but it also believes that the Security Council has a great responsibility to impose the international will represented in its resolutions and statements; adopt all the necessary measures to protect civilians on both sides by pushing forcefully to implement its decisions; enforce all human rights protection mechanisms, especially through the convening of a special session of the high contracting parties to the Fourth Geneva Convention; implement the resolution adopted by the Human Rights Council on 11 January; and provide international protection through a protection force for the Palestinian people, in implementation of the principle of the responsibility to protect. Some seek to apply that principle to specific countries, while bypassing others toiling under brutal occupation and confronting ferocious aggression without any international force to protect them. Furthermore, the Security Council is primarily and the General Assembly secondarily responsible for investigating war crimes, crimes against humanity and genocide, and for handing over those who are responsible for committing such crimes to international prosecutors. This should take place in conjunction with Arab and international efforts to end the occupation, since without an end to the occupation and without a right for the Palestinian people to establish their independent State with Jerusalem as its capital, the Middle East will never enjoy stability and civilians in Palestine and Israel will not enjoy lives of peace and security.

### **Finland**

We are also encouraged by the unequivocal statement issued at the 2005 World Summit on the responsibility to protect civilian populations from genocide, crimes against humanity, ethnic cleansing and war crimes. We look forward to the report of the Secretary-General on this notion and believe that it will provide a basis for further deepening the international consensus on the necessary steps to be taken by both States and international organizations to prevent humanitarian catastrophes.

## **France**

As members are aware, France is particularly committed to the concrete implementation of the concept of the responsibility to protect. It is an ambitious concept. It does not mean merely intervening in the midst of a crisis to stop the most horrendous crimes; it means acting in advance to prevent them. It is time to strengthen the warning and surveillance mechanisms in areas and situations at risk. Let us work together in the months ahead to achieve a consensus on that point.

## **Italy**

On a more general note, I would like to recall the reaffirmation in resolution 1674 (2006) of the principle of the responsibility to protect, a cardinal achievement of the United Nations. This principle implies that sovereignty brings special responsibilities. Governments must protect their own populations, and the best way for them to do so is to promote human rights, the rule of law and democratic governance. Only when a Government is unable or unwilling to do so should the international community intervene. The responsibility to protect should not be perceived in a confrontational manner; it should be seen instead as an instrument available to the international community to overcome crises, provided that the conditions referred to in paragraphs 138 and 139 of the Summit Outcome Document (General Assembly resolution 60/1) are met. In this framework, the debate on the upcoming report of the Special Adviser to the Secretary-General, Mr. Ed Luck, will be a timely opportunity to build on the consensus achieved at the 2005 World Summit and to concretely implement the responsibility to protect. Italy intends to actively participate in that debate.

## **Liechtenstein**

We are also supportive of the principle of the responsibility to protect, endorsed at the summit level more than three years ago, and call for its consistent application both at the international level and by the relevant intergovernmental bodies.

## **Sudan**

Protection of civilians in armed conflict is a noble goal and a major priority. But we are concerned about attempts to use this principle for political purposes, including the broad debate on what is being called the responsibility to protect. We stress that the principle of the responsibility to protect, despite the fact that it was incorporated in the 2005 World Summit Outcome document (General Assembly resolution 60/1), is still the subject of differing interpretations by Member States, taking into account the Charter principles concerning State sovereignty and the full and unlimited responsibility of States with respect to the protection of their citizens.

## **Turkey**

There is no doubt that the primary obligation for protecting civilians lies with States. However, the international community also has a shared responsibility to help protect civilians in situations where States fail to do so. Therefore, we need to build a collective awareness of the importance of this responsibility and must be able to agree on the fundamental guidelines.

### **United Kingdom**

I should like to conclude by mentioning the responsibility to protect. The 2005 World Summit Outcome is clear about the responsibility that falls to the Council under the responsibility to protect. There is not yet a unified view within the Council or within the membership at large about what the responsibility to protect means in practice, but I hope that the recent work done in that area, including by representatives of the Secretary-General, can shortly bring us to a common understanding of what needs to be done as part of our work to address the question of enhancing the protection of civilians.

### **United Republic of Tanzania**

Further, we call upon the States Members [*sic*] of the United Nations to elaborate further on the concept of the responsibility to protect, as well as on human security as additional response mechanisms in the protection of civilians and in ending conflicts.

### **Uruguay**

Lastly, I would like to highlight that, on 27 January, the delegations of Uruguay and Australia will organize an open workshop to address the issue of implementing the protection of civilians in the mandates of peacekeeping operations. It will be an opportune moment to better define the concept of the protection of civilians as it contrasts with the concept of the responsibility to protect. It will also be an opportunity to analyze the challenges that must be kept in mind from a practical point of view in implementing the mandates of peacekeeping operations that include protection of civilian components, as well as to become aware of the experiences of the main troop contributors and of the Secretariat.

### **Venezuela**

The Government of the Bolivarian Republic of Venezuela notes with concern the attempts of certain States to obstruct the debate on the concept of the responsibility to protect, set out in paragraph 139 of the 2005 World Summit Outcome. In that connection, those countries have baselessly tried to maintain that that concept is a standard that can be applied without engaging in the necessary discussion. Our country fully agrees with those States that have expressed the view that the Security Council is not in a position to interpret or utilize that concept before a consensus has been reached in the General Assembly. Our Government highlights the importance of the work accomplished in this area by Mr. Edward Luck, the Secretary-General's Special Adviser on the responsibility to protect. The protection of civilians in armed conflict and the prevention of humanitarian crises and the commission of grave crimes against humanity can be guaranteed only in an atmosphere of cooperation, good faith and strict compliance with international law.