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Remarks by H.E. Tsuneo Nishida  
Ambassador Extraordinary and Plenipotentiary  
and Permanent Representative of Japan  
On the Occasion of an Informal Interactive Dialogue  
on the Responsibility to Protect  
5 September 2012

Mr. President and Distinguished Delegates,

I would like to thank the President of the General Assembly for convening this timely meeting today. I would also like to thank the Secretary-General for his fourth report on the Responsibility to Protect, or RtoP. I highly appreciate the approach taken by the Secretary-General to make a new report each year on the various different aspects of RtoP in order to deepen the discussion with Member States, and, thereby, to facilitate the steady implementation of RtoP.

Mr. President,

How do we implement the responsibility to protect from genocide, war crimes, ethnic cleansing and crimes against humanity? This is exactly the question the United Nations is facing today. Therefore, it is well-timed that the SG report focuses on the third pillar of RtoP, “timely and decisive action,” and we welcome this.

We acknowledge and note the many discussions made and various views expressed on RtoP in the contexts of the situations in Côte d’Ivoire, Libya, Yemen, and Sudan. Japan welcomes those discussions. Japan also welcomes the progress made on RtoP as a result of those discussions and the efforts of the international community. As mentioned in the SG report, RtoP is already mentioned in a number of resolutions from various UN fora. Japan especially welcomes and supports the efforts made by the Security Council and the General Assembly to implement RtoP.



Mr. President,

In making comments in the today's discussion, I cannot avoid touching upon the situation in Syria. As mentioned in the SG report, the High Commissioner for Human Rights and Special Advisors of the SG addressed various situations including Syria in the context of protecting populations from those sorts of mass atrocities which are subject to RtoP. We must work together to bring an immediate end to the violence and blood-shed in Syria. Japan deeply regrets that the Security Council has been unable to take unified action on this issue. The UN, including the Security Council, should seriously consider and agree on appropriate measures to address the ongoing situation, bearing in mind the importance of RtoP, which is to be implemented in accordance with the UN Charter, as documented in the 2005 World Summit Outcome.

Japan is willing to continue to play an active role toward bringing an end to the violence, in cooperation with the international community.

Mr. President,

We welcome the proposal by Brazil on "Responsibility while Protecting," as well as the active discussions facilitated by this proposal, including those in the informal debate hosted by Brazil in February. In this connection, I would like to point out, as a matter of course, that any coercive measures including use of force must be conducted in accordance with international law including the UN Charter. In addition to that, I would like to point out that no additional procedure should be created so that the Security Council may take prompt unified action from the view point of "timely and decisive action."

Mr. President,

As rightly pointed out in the SG report, "the International Criminal Court (ICC) works to put an end to impunity for the perpetrators of the most serious crimes, and thus contributes to the prevention of such crimes," and "more generally, the emergence of a system of international criminal justice has had a positive influence on the development of the concept of RtoP." Therefore, strengthening the ICC is of great importance. Japan is the largest donor to the ICC and strongly advocates increasing the already substantial role that the ICC plays in the field of the rule of law. We strive to make the ICC and its tribunal

procedures effective, efficient, universal, and institutionally sustainable, and are leading discussions to strengthen the court.

In order to maximize the ICC's deterrent effect, it is essential to ensure effective implementation of prosecution and punishment of crimes, such as the four (4) categories of mass atrocities subject to RtoP, in accordance with the Rome Statute.

At the same time, it is also of great importance to continue to make progress toward the goal of universalizing the ICC by increasing its contracting parties. Japan would like to appeal to those countries who have not yet become States Parties, particularly those in Asia, for their positive consideration.

Mr. President,

The Secretary-General stated in his report that "progress toward more effective and consistent implementation of the responsibility to protect must continue." Japan fully agrees with this statement. Japan intends to actively participate in the discussion with relevant Member States for the sake of progress and implementation of RtoP.

Last but not least, I would like to sincerely praise the roles played by outgoing Special-Advisor Prof. Luck and outgoing Special-Advisor Mr. Deng, on their enormous efforts to push discussions on RtoP forward. I look forward to close cooperation with the new Special-Advisor Mr. Dieng.

Thank you for your attention.