

Panama – Statement at the July 2009 GA Debate on RtoP (As Delivered)

The Permanent Mission of the Republic of Panama to the United Nations

Statement By: Mr. Giancarlo Soler Torrijos

Permanent Representative to the United Nations

Mr. Soler Torrijos (Panama) (*spoke in Spanish*): My delegation would like to start by expressing its gratitude for the convening of this series of meetings and welcoming the report of the Secretary-General (A/63/677). Ever since the 2005 World Summit, when our heads of State or Government agreed on the principle of the responsibility to protect, that principle had to be made operative. From our perspective, the Secretary-General's report is a significant step forward in proposing ways to implement it. It goes without saying that the responsibility to protect citizens from serious violations of human rights is incumbent upon the State, and it is only when the State cannot or will not exercise its responsibility that the rest of the international community should step in to help. That was the commitment undertaken in 2005 by our leaders, and that is why this debate can in no way strip it of validity. It is clear that before resorting to force in keeping with the provisions of the Charter of the United Nations and international law, priority must be given to international assistance and capacitybuilding in order to help a State meet its obligations.

A number of elements pertaining to the concept contained in the Secretary-General's report have been noted, and my delegation endorses those assessments. In particular, we believe it would be appropriate to continue to develop the concept of responsible sovereignty and to explore any action that would reduce the risk of genocide or crimes against humanity recurring. We also highlight the recommendation to use the Human Rights Council as a forum to discuss how to encourage States to comply with their obligations under the responsibility to protect and to monitor progress along those lines, along with the suggestion that this concept be disseminated among communities, that individual responsibility be promoted and that an end be put to impunity as other ways of preventing genocide.

What we have to do now is initiate a series of discussions aimed at undertaking a periodic review of the implementation of the responsibility to protect by Member States and see how to monitor Secretariat efforts to implement the concept. My delegation recognizes that some Member States still question this concept. They feel it is a pretext for intervention in their internal affairs. That is why this debate was necessary. The Secretary-General's report has shed light on the avenues for implementing the concept we adopted at the 2005 World Summit. Clearly, implementation involves a broad range of institutional activities in conflict prevention, the promotion and defence of human rights and democracy and other activities described in the report, such as the establishment of an early warning system. My country welcomes these proposals. We agree that the preventive elements of the responsibility to protect are the most important and practical.

The implementation of the concept entails many tasks to be carried out in many areas, including Security Council decisions regarding international peace and security. But we should not use the lack of Council reform as an excuse to not move ahead in the implementation of this concept in all possible areas. In the end, what we have to do is move ahead and improve the entire range of preventive efforts to prevent situations such as those covered by the concept of the responsibility to protect from coming to the Security Council. From our perspective, the concepts of the responsibility to protect and humanitarian intervention are so dissimilar that they must not be confused. In the past, there have certainly been genocides and various military interventions in which humanitarian criteria were used as a justification, but these were unilateral initiatives that took place outside of the United Nations framework. What the responsibility to protect tries to do is strengthen all these national capacities, first of all, and multilateral capacities, secondly, in order to prevent genocide and crimes against humanity. If a situation were to occur where the recourse to force were necessary, that could not take place outside the international legal framework to which we all belong.