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STATEMENT BY

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PERMANENT MISSION OF THE REPUBLIC OF SOUTH AFRICA
TO THE UNITED NATIONS**

**FOR THE INFORMAL DIALOGUE OF THE GENERAL ASSEMBLY
ON THE RESPONSIBILITY TO PROTECT**

**UNITED NATIONS
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Mr President,

My delegation and I welcome this report from the Secretary-General and wish to thank him for his continued commitment to Responsibility to Protect (RtoP) during his term as Secretary-General of the United Nations. The Secretary-General's tireless promotion of RtoP during his tenure has ensured that the political norm of RtoP now has near universal support. We also thank the presenters for their statements.

Responsibility to Protect encapsulates a State's responsibility to protect its population from four specified atrocity crimes, namely: genocide, war crimes, crimes against humanity and ethnic cleansing and is to be implemented on the basis of the Three Pillars of Responsibility, as defined in the 2009 Report of the UN Secretary-General.

While we, as an international community, have made strides on the implementation of RtoP, much more should be done to guarantee the protection of our citizens through the further operationalization of RtoP. This is being complicated by the current challenging global context in which both state and non-state actors are failing to adhere to their obligations under the Charter of the United Nations and international human rights and humanitarian law.

Mr President,

South Africa fully supports the focus in the report on prevention tools and the idea that regional and sub-regional bodies should develop mechanisms to assist in capacity building with regard to conflict prevention and management. These tools should also be deployed and developed by the UN Security Council, since over the years, it has become rather unimaginative in its approach to conflict prevention. The Secretary-General further lists options that could be considered by the Security Council including, fact-finding missions; commissions of inquiry; monitoring, mediation and negotiation.

Early warning mechanisms are a necessary component for preventative diplomacy in order for the Security Council to better anticipate risks, which in turn, would allow for timely, appropriate and decisive responses.

Mr President,

The challenges to the implementation of RtoP, as mentioned by the Secretary-General include inconsistent application of the principles of international law and the unwillingness of some States to meet their global responsibilities to protect populations from atrocity crimes. Political inactivity, especially within the Security Council due to its political divisions, further stall action to protect vulnerable

populations. These are all failures of political will and is a result of the Security Council too often pandering to the narrow self-interest of one or more of the Council's permanent members.

Regardless of these challenges, it is important to ensure that the spirit of the political commitment made in 2005 is adhered to, especially when it becomes necessary for the international community to implement commitments under Pillar Three. South Africa reiterates its belief that any RtoP action must ensure that it is not isolated from a political process aimed at achieving a sustainable solution; inclusive of all parties concerned in a conflict. If military intervention is used as the last resort, it should be done in line with the provisions of the UN Charter. A decision by the Security Council to authorise the use of force in the name of RtoP should not be seen as a means to operate beyond the provisions and limitations of the rule of law. The Security Council must retain its oversight role with regular briefings to the Council by the parties involved, and with the Council remaining seized of the matter, constantly reviewing the process and adapting accordingly.

Mr President,

My delegation encourages the next Secretary-General to actively support and gather the necessary resources to fully operationalize RtoP and utilise his/her mandate to bring to the attention of the Security Council situations of concern that may not be on its agenda.

South Africa supports the Secretary-General's call for the United Nations to redouble efforts to mainstream the Responsibility to Protect. More should be done to prioritise conflict prevention and to strengthen preventative diplomacy tools, such as mediation and negotiation, to resolve disputes.

In conclusion, I would like to add that South Africa is open to discussing the possibility of a new General Assembly resolution on reaffirming and deepening Member States' commitment to operationalizing the Responsibility to Protect within the current political norm, but emphasises that such a decision must be the result of the participation of the entire UN membership.

I thank you.