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**STATEMENT
BY**

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**DEBATE ON
THE SECRETARY GENERAL'S REPORT ON
IMPLEMENTING RESPONSIBILITY TO PROTECT**

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Mr President,

My delegation welcomes the Report of the Secretary General on Implementing Responsibility to Protect and expresses its appreciation for the elaborate and balance manner in which he approached this important concept.

On the outset, South Africa agrees with the Secretary General's observations this concept can only be developed under the auspices of the United Nations and in full compliance with the principles and objectives of the UN's Charter. We therefore welcome this debate and assure the Secretary General of our support.

It is also imperative that this debate should remain within the General Assembly to ensure the maximum transparency and participation as we develop guidelines on the implementation of R2P. This is especially important if the concept is to be accepted and respected throughout the world.

Mr President,

Lt General Romeo Dallaire, concludes in his account of the Rwanda genocide, *Shake Hands with the Devil*, that: "at its heart, the Rwandan story is the story of the failure of humanity to heed the call for help from an endangered people. The international community, of which the UN is only a symbol, failed to move beyond self-interests for the sake of Rwanda. Whilst most nations agreed that something should be done, they all had an excuse why they should not be the ones to do it. As a result, the UN was denied the political will and material means to prevent the tragedy."

In sum, the tragic events in Rwanda were allowed as a result of indifference.

These events were still looming large in the year 2000 when the drafters of the Constitutive Act of the African Union wrote Article 4 (h), which declared the Union's right to "intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity" – a decision also known as the principle of non-indifference.

Five years on, the United Nations defined the concept "Responsibility to Protect" in paragraphs 138-140 of the 2005 World Outcome Document.

As a founding member of the African Union and its Constitutive Act, South Africa also agrees that we as the United Nations should never again exhibit the indifference that was shown in the face of the Rwandan genocide. Nor should we allow national interests to prevent us from responding to situations where states are manifestly failing to protect their populations from genocide, ethnic cleansing, crimes against humanity or war crimes.

Mr President,

Turning to the specifics of the Report of the Secretary General, my delegation is of the opinion that it is a balanced report and a good starting point for this debate. In particular, we support the Secretary General's limited approach to the 2005 consensus and his conclusions that Responsibility to Protect should not be applied to disasters other than the four identified crimes, in other words it is not applicable to HIV/Aids, climate change, natural disasters etc.

Pillar 1 identifies Responsibility to Protect as part of a state's sovereign responsibility towards its citizens and focuses on how a state's sovereignty could be strengthened in this regard. The Secretary General concludes that it is the responsibility of all states to protect their citizens from these four crimes regardless of their level of development. All states should develop internal conflict resolution mechanisms and institutions through which disputes can be addressed through dialogue in a timely and fair manner.

This is a concept South Africa supports as a member of the African Peer Review Mechanism (APRM), which is a system introduced by the African Union to improve governance in the African continent with the aim of achieving political stability and socio-economic development in Africa.

In Pillar 2 the Secretary General addresses the international community's commitment to assist states to meet these obligations, either bilaterally or through regional and sub-regional organizations. It includes elements of great importance to developing countries such as development assistance and capacity building with regard to conflict prevention and management.

South Africa has long been a proponent of the inextricable link between development and security. Security will never be sustainable without socio-economic development, but likewise development cannot be achieved without sustained security and political stability. More importantly these goals are not achieved in isolation, but in partnership with each other.

Mr President,

Failure to implement the above two pillars may give rise to systemic conflicting social situations which may in turn create conditions in states in which these crimes can be perpetrated. Failure to implement the measures identified in these first two pillars may therefore undermine the capacity of states and international community to respond timeously to prevent the four crimes from being initiated and perpetrated. In turn this will result in failure on our part to implement our responsibilities under the Charter of the United Nations, which establishes security and development as the two primary goals of this organization.

Our work here in the UN is aimed at achieving sustainable socio-economic development and security for all. The preamble of the Charter states that in the UN we shall "unite our strength to maintain international peace and security, and to employ international machinery for the promotion of economic and social advancement of all peoples."

In other words, we should seek development and security as a matter of course in pursuit of the promotion of human dignity for all people, especially the most vulnerable.

Mr President,

Pillar 3 addresses response of the international community when a state is manifestly failing to protect its citizens from genocide, crimes against humanity, war crimes and ethnic cleansing.

The Secretary General, quite correctly states that there are a myriad of instruments at the disposal of the international community to utilize in response to such circumstances. Indeed the Charter of the United Nations identifies many of them such as negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, and resorting to regional and sub-regional

arrangements, including, but not limited to action by the UN Security Council, to name but a few.

Importantly, this pillar also involves collaboration with regional and sub-regional organisations under Chapter VIII of the Charter. We believe that the UN should continue to strengthen its relationship with and capacity of regional organisations, in particular the Africa Union, as evidently these organisations have the advantage of being closer to situations and can deploy faster than the United Nations.

Mr President,

It is our view that the need for the development of the concept of “Responsibility to Protect” is a result of the failure of the UN, specifically the Security Council to prevent genocide, war crimes, crimes against humanity and ethnic cleansing. The Council has too often illustrated its weakness in this regard. The Council should execute its mandate in the interest of the well-being of all of humankind, not only on a selective basis as determined by narrow self-interest.

Let us not forget, that the deplorable system of Apartheid in South Africa was declared a crime against humanity by the General Assembly, which is one of the four crimes identified in R2P; and yet the question of South Africa attracted 3 simultaneous vetoes every time it was put to the vote in the Security Council.

In addition, history is also strewn with examples of the abuse of the Council’s power or that of one or two individual powerful states over weaker ones – misusing the concept in order to justify unilateral military action and flagrant abuse of military might in lieu of the sovereignty and territorial integrity of states.

This abuse and failure illustrates the tension that exists between our responsibility as international community to protect the people we represent, and that of our sovereign rights as states. This is why our delegation agrees with the Secretary General that the General Assembly needs to develop guidelines for response, including the curtailment of the veto when considering issues relating to these four crimes and enhancing the capacity of the UN to respond decisively and timeously.

Mr President,

This debate is only the start of the process. There are many questions that we as a General Assembly need to ask, consider, debate and answer. We as the General Assembly need to work in a transparent and inclusive manner toward the development of the modalities and a framework of implementation for R2P.

Mr President,

We need to move the debate forward, and start engaging on the specifics of the concept. South Africa agrees with the Secretary General that his Report and this debate should contribute towards the building of consensus amongst ourselves as to how to take this concept to a point where it can be implemented.

My delegation stands ready to participate in and contribute to such a process.

I thank you.