



**Permanent Mission of the Kingdom of Swaziland  
to the United Nations**

**Statement by**

**H.E. Mr. Joel M. Nhleko**

**Permanent Representative of the  
Kingdom of Swaziland to the United Nations**

**on the Secretary-General's Report on Responsibility to Protect**

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Mr. President,

I wish to add the voice of my government on the implementation of the responsibility to protect. I thank the Secretary General for his extensive report providing a conceptual basis on how responsibility to protect should be implemented and we commend him for a job well done.

My delegation aligns itself with the statement delivered by the delegation of the Arab Republic of Egypt on behalf of NAM.

First and foremost, we pay tribute to the Constitutive Act of the African Union more especially article 4 (h) for its specific reference to the responsibility to protect more so because it amplifies the value of the policy of non indifference. It is in the same spirit that I recall paragraphs 138 and 139 of the outcome document of the World Summit of 2005 wherein our leaders mandated the world to find a way of protecting national populations in instances of the four crimes as set out in the report of the SG. The largest ever gathering of the leaders of the world conferred a landmark agreement on the same subject based on international humanitarian and human rights law. I urge my fellow colleagues to see the vision of our leaders through not because we have a choice but because R2P represents a collective response to resounding failures to save human lives in the past. Now that we have a coordinated and strategic plan to fend off the four crimes in any way that the 3 pillars can permit depending on the advancement level of any given situation, we should be unfaltering in taking decisive action. I would like to point out that most of our work should be concentrated to prevention rather than intervention.

Mr. President,

There is a strong emphasis to be narrow and deep, I would want to mention a few points on the depth of R2P. My delegation believes the depth of R2P relies on a number of virtues. Governance, Sound Institutional Building, Human Rights Protection, Protection of the Rights of Women and Minorities all play out to the

responsibility of states to protect its populations as rightly referred by the report of the SG. The vicissitudes of a successful R2P institutionalization lies on many preliminary programs that are closely related to development and security. The fight against poverty and other challenges is linked to the responsibilities of governments to their populations.

A disintegration of set out socio economic and political strategies that make a successfully managed country spells a precarious situation. Good governance during peace time plays a positive role to R2P. It actually deepens pillar 1. The responsibility of states to protect populations is sacrosanct and takes precedence from its very inception and has the duty to enforce the rule of law and democratic compact obedience. The failure on this role triggers a series of events that degenerate into violent interventions from wayward elements within national borders. R2P should not start when disagreements degenerate into violence but it should embrace preventive measures during peacetime primarily by the state augmented by the international community.

Mr. President,

My country has a profound experience on displaced populations and refugees from other states. The years of the 70s and 80s saw untold masses of people coming into my country from other neighboring states. As small as we are with our small resources busting at the seams, we had the obligation of protecting immigrating populations who came into Swaziland fleeing different situations. The experience of protecting foreigners and nationals at the same time has a profound effect in our understanding of how important R2P is. Be that as it may, my delegation has a concern that there is a little or no reference to the degree of responsibility of states occupying others.

More often than not, local populations suffer untold abuses and systematic substitution with little conviction on their wellbeing. We would like to see a more detailed prescription on how occupying powers should be held responsible for the populations they invade. In actual fact, systematic substitution of certain peculiar

populations may amount to a special form of ethnic cleansing. I wish to appeal to the Secretary General to have a closer look on ethnic cleansing and find means to broaden or deepen it to include such considerations. Our thinking is that, this all rounding elaboration on the four crimes will certainly enhance the operational utility of R2P.

This also goes to members of the P5 who **may** sometimes find themselves entangled in cases wherein they hold special political and economic interests in a specific country. There is a lacuna on how to force the hand of that powerful country to immediately recognize a case of R2P and not to let it degenerate into a full blown conflict wherein extrajudicial killings occur at will.

Mr. President,

There are a lot of insinuations and skepticism about pillar 3. Even though we may concede the fact that sovereignty is responsibility, there is also a grey area on the specific course of action should a need for pillar 3 arise on a given situation. The authority of intervening militarily has to be okayed by the Security Council. The question remains whether this avenue is very effective. What if the Security Council suffers from operational incapacity because of some reasons known to it? Some may argue that there are cases that require regional efforts with little involvement of the UNSC but there will be those situations wherein interest propelled incapacity will take effect. We suggest that the Secretary General devise a strategy to make it impossible for the Security Council to be inert. Pundits may deny that some of the problems R2P faces hinge on the reform of the Security Council. There is a clear need to shovel the work on the structure of the UNSC for most of our initiatives to be fluid. However, we do not believe that nothing can be done in the current scheme of things. Certainly where there is a will, there is a way.

Thank you Mr. President