

## **Cuba's Statement at the 2016 UN General Assembly Thematic Panel Discussion, From Commitment to Implementation: Ten Years of Responsibility to Protect [Transcribed]**

26 February 2016

Thank you, Mr. Moderator.

First of all, I'd like to say the Responsibility to Protect in Cuba has circulated a document which you may all consult - it is S/2016/9.

I will be as quick as possible, but I would like to refer to several elements which my country deems important. Cuba believes that the concept of the Responsibility to Protect continues to offer serious doubts for some countries, especially for small, developing states, given the lack of consensus and definitions of different elements of the concept, which could be easily manipulated for political ends, as other speakers have said. It is crucial that prior to the implementation of the RtoP concept, the assembly must reach consensus on its complications to resolve differences in interpretation, and to guarantee the universal meaning and grant legitimacy to actions imposed for its implementation. This has also been addressed by other speakers, and I think it is something which should be analyzed and that should be taken into account in any future action on RtoP.

We would also like to say that the international council on this is limited to the reduced and sensitive limitations of paragraphs 138 and 139 of the resolution, and I will repeat them, but in our view, it is a mistake to state that this resolution or this document adopted the principle of RtoP. We do not agree with that, and this is our view which of course we have a right to express. This is a concept whose characteristics, rules of implementation, and mechanisms for assessment are far from being defined and agreed upon. I have several elements to present and I see that my time is coming to an end but please, Moderator, if you would allow me to finish.

In addition to this, we would like to make it clear that for Cuba, crimes included in paragraphs 138 and 139 are acts which all states should prevent. We agree with that. We should repudiate and punish - and Cuba *does* repudiate all of these crimes - whether they be committed in the context of international armed conflicts in developing countries, as well as if committed by occupation forces or military expeditions in developed countries. I think those elements we have to analyze as well.

This balance, which could only exist in a less-selective world, and of course through a process of democratization of our organizations. We would also like to mention other elements which may be expanded after the 2005 world summit. I think the scope of RtoP is trying to be expanded, and there is a use of terms which are legally ambiguous, which have not been defined and have not been included in any treaty or any part of international law. We have also heard many speakers here use them, such as "atrocious crimes," "risk factors," "imminent risk,"

“mass atrocities” - what document defines what a “mass atrocity” is? Or what an “atrocity crime” is? That is ambiguous; it has not been defined.

We would like to ask the panel why there is a lack of discussion as to who decides that there is a Responsibility to Protect? Who determines that a state does not protect its population? Who, and under what criteria, determines how to act, and how can we avoid the term being used for interventionist's purposes? This is not clear, and there has been no substantive debate on it. I would also, lastly, like to say that my country does not support granting to organizations like the security council functions which are not assigned to it, and we cannot support a reinterpretation to the concept of collective security, embodied in the UN charter. I will now conclude, the international community should not be passive given genocide, ethnic cleansing, war crimes, or crimes against humanity, of course we repudiate them and fight against them. This is noble, but in many cases, the Responsibility to Protect has hidden in practice and its implementation in the interest of having an easier tool to intervene in the internal affairs of states, mostly in developing countries.

Mr. Moderator, I only wanted to thank the President of the General Assembly and the Secretary General for promoting this event.