



**Statement by Mr. Tofiq F. Musayev
Chargé d'affaires a.i. of the Republic of Azerbaijan
to the United Nations**

*at the 63rd session of the General Assembly on
the responsibility to protect, 28 July 2009*

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Mr. President,

We affirmed at the 2005 World Summit Outcome that “each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity”. Thus the authoritative framework to effectively address the responsibility to protect has been defined. This framework is based on well-established principles of international law, according to which States have obligations to prevent and punish most serious international crimes.

It is essential to note that the relevant provisions of the 2005 World Summit Outcome reinforce the letter and spirit of the Charter of the United Nations and the principle of State sovereignty. These provisions make it clear that actions in the exercise of the responsibility to protect are to be undertaken only in conformity with the provisions, purposes and principles of the Charter of the United Nations.

Although important steps have been made in a number of situations to address properly the most serious international crimes, populations are still suffering in many places around the world due to the manifest failure of individual States to fulfill their most basic and compelling responsibilities, and the collective inadequacies of international institutions.

Regrettably, even more than 60 years after the adoption of the Universal Declaration of Human Rights and the Convention on the Prevention and Punishment of the Crime of Genocide, the conspicuous “silence” in certain instances, involving in particular situations of military aggression and foreign occupation, serves to accentuate a deficiency characteristic of the international community today – the gap between the theoretical values of law and harsh reality.

This bitter truth represents a profound challenge to the peace, stability and prosperity and, therefore, requires that we redouble our efforts in implementing to protect and putting an end to the most serious international crimes.

The Secretary-General's report (A/63/677) on how to implement the responsibility to protect indeed does take the important first step towards turning the authoritative words of the 2005 World Summit Outcome into doctrine, policy and, most importantly, deeds.

We consider important to develop the overall strategy for implementing the responsibility to protect described in the report, including through searching the ways in which the United Nations can best help to ensure the fulfillment of the assembled commitments made in 2005 by Heads of State and Government.

There should be done more to sharpen the tools for ending impunity. This requires consistent commitment by States towards their obligations to prosecute those responsible for the most serious international crimes. Fighting impunity is essential not only for the purposes of individual criminal responsibility for such crimes, but also peace, truth, reconciliation and the rights of the victims. Thus, for example, there must be no justification for attempts to make the participation in political processes aimed at putting an end to the conflict situations conditional on demands for immunity from responsibility. To hold otherwise would be tantamount to legitimizing the results of mass atrocities and thus to rejecting the responsibility to protect.

We fully support the idea that more research and analyses are needed on why one society resorts to mass violence, advocates the notorious concept of "ethnic incompatibility" and consistently creates monoethnic environment while its immediate neighbours remain relatively stable in terms of preserving cultural diversity and fostering respect among various groups. Azerbaijan is prepared to contribute to such analyses and research which might serve an important source within our efforts aimed at discouraging incitement to racial and religious hatred.

We believe that the engagement of the Security Council may significantly advance the scope of actions to implement the responsibility to protect and create opportunities to improve common approaches in this regard. At the same time, the General Assembly as the world's premier inclusive forum has an important role to play, especially when the Security Council fails to exercise its responsibility with regard to international peace and security.

We look forward to continuation of a constructive dialogue and to further reports of the Secretary-General on the matter.

I thank you.