

## EXCERPTED R<sub>TO</sub>P STATEMENTS FROM THE 10<sup>TH</sup> SECURITY COUNCIL OPEN DEBATE ON PROTECTION OF CIVILIANS IN ARMED CONFLICT

22 November 2010

**Mrs. DiCarlo**, US Ambassador and Alternate Representative for Special Political Affairs:

(...) The United Nations and regional organization partners have also played an important preventive and mediation role in countries such as Guinea and Kenya (...) [W]e must continue our efforts to better tailor peacekeeping mandates to adequately address situation-specific challenges on the ground. That includes laying out a clear hierarchy of tasks so that peacekeepers can understand the priorities. The Secretary General's report notes the progress that the Council has made in mandating civilian protection in peacekeeping missions (...) The primary responsibility for ensuring accountability lies with States, but the international community must be prepared to take action against those who violate international humanitarian law, including through the imposition of sanctions, such as the freezing of assets, the banning of international travel or restricting the flow of goods and arms (...) The international community should remain vigilant and bear its fair share of our collective **responsibility to protect** civilians. If we act purposefully and in concert, we can better shield civilians from the ravages of armed conflict (...)

**Mr. Ragolini**, Ambassador and Permanent Representative of Italy (*UN translation*):

(...) Resolution 1674 (2006) reaffirms the principle of the **responsibility to protect**. As we have stressed on previous occasions, that

principle should not be perceived in an adversarial manner but rather as an instrument available to the international community for settling conflicts, provided that the conditions referred to in paragraphs 138 and 139 of the 2005 Outcome Document are met. The informal interactive dialogue of the General Assembly on early warning, assessment and the **responsibility to protect** was an important step towards understanding and implementing the concept. We look forward to new opportunities to continue that dialogue.

**Mr. Limeres**, Deputy Permanent Representative of Argentina (*UN translation*):

(...) Action by the Organization is essential to prevent the emergence of situations of genocide, war crimes, ethnic cleansing and crimes against humanity, and to end them when such situations emerge. Those four crimes, included in the concept of the **responsibility to protect**, demand not only action, but also prevention. The commitment of the Organization is needed to prevent the recurrence of the horrors of the past. It is often possible to detect in a society elements that set off alarms regarding the possible emergence of situations of massive and serious violations of human rights and humanitarian law. Therefore, prevention requires that the Organization be provided with appropriate mechanisms to gather information on present and potential situations that may trigger the **responsibility to protect**. (...) Being a victim of an armed conflict is a condition that usually

extends beyond the end of hostilities. In the case of women and children in particular, they continue to be victimized after returning to their communities by being stigmatized and subject to retaliation. In this context, it is necessary to underscore the role of justice. Perpetrators of war crimes, genocide or crimes against humanity are responsible for serious crimes and must therefore be held accountable before justice (...)

**Mr. Schwaiger**, Deputy Head of the delegation of the European Union to the United Nations:

We encourage the Council to further explore the Secretary-General's recommendations, including referrals to the International Criminal Court, support to national-level investigation and prosecution, and increased use of commissions of inquiry or fact-finding missions. We believe that such measures would also help to contribute to prevention, which has recently also been debated in the context of the **responsibility to protect**.

**Ms. Štiglic**, Ambassador and Permanent Representative of the Republic of Slovenia:

(...) Slovenia believes that the Council must increasingly focus on preventing conflict, including through early warning, as failure to do so bears only grave consequences for the affected civilians. The Council must respond to situations where civilians are at risk of systematic and widespread violations of humanitarian law and international human rights law, in particular to protect populations from **genocide, war crimes, ethnic cleansing and crimes against humanity** (...)

**Mr. Mahmood**, Councillor Permanent Mission of Bangladesh:

(...) The Security Council's thematic resolution 1894 (2009), as well as its resolutions relating to children and armed conflict and to women and peace and security, the mandating of peacekeeping missions to protect civilians, the adoption of the aide-mémoire on the protection of civilians contained in document S/PRST/2009/1 and the creation of the informal expert group on the protection of civilians, have been important steps forward. However, at the same time, the gap between the words in the protection mandates and their actual implementation still seems to persist. In that regard, my delegation would like to re-emphasize the importance of the principle of the **responsibility to protect**, as endorsed in the 2005 World Summit Outcome (resolution 60/1), in preventing harm to civilians in armed conflict (...)

**Mr. Christian**, Ambassador and Permanent Representative of Ghana:

(...) Resolution 46/182 adopted by the General Assembly in 1991 places the responsibility for the protection of civilians, first and foremost, with their respective States, which are also expected to facilitate the work of responding organizations in times of conflict. However, it is not unusual to find that the State whose responsibility it is to protect its own populations is the perpetrator of the crimes against civilians (...) Ghana continues to advocate the concept of the **responsibility to protect** recognized and adopted by world leaders in the 2005 World Summit Outcome Document (resolution 60/1), which was a call to action that emphasized the need for preventive measures and for the delivery of international assistance to States in order to enhance their capacity to fulfill their primary **responsibility to protect** their own

populations against genocide, war crimes, crimes against humanity and ethnic cleansing. In that regard, on 24 September 2010, Ghana co-sponsored a ministerial meeting on the **responsibility to protect** under the theme “Fulfilling the **responsibility to protect**: strengthening our capacities to prevent and halt mass atrocities”. What emerged was the clear commitment of participating Member States to prevent and halt atrocious crimes and the need for intervention by the international community. We therefore welcome ongoing discussions within the General Assembly with a view to clarifying and forging consensus on the scope and modalities for the practical application of the **responsibility to protect** (...)

**Mr. Osman**, Ambassador and Permanent Representative of Sudan (*UN translation*):

(...) The principle of protecting civilians in armed conflict is a noble one to which we all aspire. However, we are concerned by attempts by some countries to utilize that goal to serve particular political aims, such as the ongoing campaign on the so-called **responsibility to protect**. In that regard, I would like to reiterate that, although referred to in the 2005 Summit Outcome, the **responsibility to protect** is still the subject of divergent interpretations on the part of Member States. In that connection, we must bear in mind the established principles of the Charter of the United Nations vis-à-vis the

sovereignty and legitimacy of Member States and their full responsibility for the protection of their citizens. I would also like to note that the right to protect civilians in armed conflict is but one aspect of an integrated and interconnected system of rights and duties, as reaffirmed by the 2005 Summit Outcome. The main thrust of the Summit was to follow-up the implementation of the Millennium Development Goals, foremost among which are development, combating poverty and root causes (...)

**Mr. Cancela**, Ambassador and Permanent Representative of Uruguay (*Un translation*):

(...) The delegation of Uruguay welcomes the significant progress that has been made since the last report of the Secretary-General (S/2009/277), which helps in various ways to improve the situation of civilian populations in armed conflict. This includes the entry into force of the Convention on Cluster Munitions in August; the progress made at the Review Conference of the Rome Statute in extending criminal individual responsibility to various circumstances; recent developments with regard to the **prevention of genocide and other mass atrocities**; and, in general, the important normative progress made at Headquarters with regard to various areas that pertain to innocent civilians, particularly the most vulnerable, such as women and children (...)