

11 May 2012

Excellencies,

On behalf of the International Coalition for the Responsibility to Protect (ICRtoP), a global network of NGOs working to increase awareness and support for RtoP, I want to express our great interest in the resolution that five governments are co-sponsoring in the United Nations General Assembly (GA): **A/66/L.42/Rev.1**. The resolution, entitled “Enhancing accountability, transparency, and effectiveness of the Security Council”, is being advanced under Agenda Item 117, “Follow-Up to the outcome of the Millennium Summit.” The proposed resolution, commonly referred to as the “S-5 Resolution” is based upon the paragraph in the World Summit Outcome which states: *“We recommend that the Security Council continue to adapt its working methods so as to increase the involvement of States not members of the Council in its work, as appropriate, enhance its accountability to the membership and increase the transparency of its work.”*

The ICRtoP, in applying the Coalition’s guiding principles, fully supports what we believe is a major component of this resolution, recommendation No. 20, which calls for the permanent members of the Security Council to consider *“refraining from using a veto to block Council action aimed at preventing or ending genocide, war crimes and crimes against humanity.”*¹

The Coalition supports the S 5 governments in their statement of 4 April 2012 to GA Member States as this provision reflects the historic decision in the 2005 World Summit document which states that the international community, through the UN, has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means to help protect populations from genocide, war crimes, and crimes against humanity; and that when a state is manifestly failing, the international community has a responsibility to take timely and decisive response, including measures authorized by the Security Council under Chapter VII.² The adoption of these provisions by the 2005 Summit is the primary basis of our global coalition.

Further article 24(2) of the UN Charter clearly requires that all decisions of the Security Council, including the use of the veto must be made in a manner that are consistent with the “Purposes and Principles” of the United Nations. Tragically, almost every year and even at present the international community witnesses Council deliberations where use

¹ Annex A/66/L.42 Section on Use of Veto; Measure 20

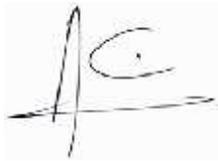
² A/60/1 paragraphs 138-139 – Responsibility to Protect paragraphs.

of the veto (or its misuse) is inconsistent with these provisions – a situation that this measure in the resolution attempts to address.

Excellency, as noted within the 2005 World Summit document, the heads of government expected the General Assembly to continue to address the issues of Security Council working methods as well as continue consideration of the responsibility to protect populations from mass atrocity crimes.³

This recommendation within the S-5 resolution would enhance the goal for preventing and ending impunity, and strengthen the responsibility of States, the international community, the UN and the Security Council to prevent and stop the commission of these crimes. The ICRtoP anticipates that many of our members will encourage governments to take a positive decision on supporting recommendation No. 20 in all appropriate General Assembly processes and in the Security Council.

With sincere appreciation,



Dr. Andrés Serbin

Chair, International Coalition for the Responsibility to Protect

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³ See for example, Paras 139, 149, 151, 154, A/60/1.