

Statement delivered by the Delegation of India to the United Nations, at the United Nations General Assembly Thematic Panel Discussion "From commitment to implementation: Ten years of the Responsibility to Protect," convened by the President of the General Assembly [Unofficial Transcription]

25 February 2016

Responsibility to Protect has generated varying degrees of interpretations and also divergent viewpoints on its implementation and the concept itself, as we have seen today. We would like to make the following three observations and questions.

Firstly, we are of the view that there is, of yet, no consensus on who should be empowered to implement Responsibility to Protect action in the name of the international community. Atrocity crimes are so defined because they represent a special type of crime involving widespread and systemic violations of human rights that outrages international opinion. However, it is not at all clear that the Security Council is the organ within the UN which should be empowered to take Responsibility to Protect action in the name of the international community.

Secondly, while taking Responsibility to Protect action, what are the specific thresholds that would justify the international community transitioning from the use of legal economic and political instruments to the use of military instruments? Who would identify these thresholds? In addition, subsumed in Responsibility to Protect is also the responsibility to prevent, what are the thresholds that will trigger preventative measures?

Finally, we would like to ask why the international community shouldn't rely on existing mechanisms such as the annual periodic reviews in the UNHCR to serve as the international community's early warning and preventative systems against atrocity crimes.

We would also like to mention that yesterday we had a discussion after the presentation of the draft resolution in which India emphasized that it is the right time to emphasize on the process to have further discussion rather than the end product, which, in this case, is what the General Assembly resolution looks like. Our emphasis is still on the process and deeper discussion and today's discussion is definitely a step in that direction.