



INDIA¹
भारत

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Statement
By
India
at
The Informal Interactive Dialogue on the Report of the
Secretary-General
on Responsibility to Protect: State Responsibility and
Prevention

New York

11 September 2013

Mr. President

Thank you for convening this interactive dialogue on the “Responsibility to Protect: State responsibility and prevention”. I am confident that today’s deliberations would significantly contribute towards exchanging views on measures that can be taken by Member States on this issue.

Mr. President

It is important to recall that the 2005 World Summit outcome document had clearly recognized that it was the responsibility of each State to protect its populations from four crimes namely genocide, war crimes, ethnic cleansing and crimes against humanity, and to prevent the occurrence thereof.

Mr. President,

We would emphasize three issues regarding R2P:

First, the R2P must remain confined to the four crimes identified by our leaders in 2005, i.e., genocide, war crimes, ethnic cleansing, and crimes against humanity. We have the Geneva Conventions which provide the bulwark of international humanitarian law. Also, a more interactive peer review process in the Human Rights Council has the potential to flag problem areas which may need concerted action by the states concerned with support of the international community, if required and as appropriate. The creation of the Human Rights Council provides the international community with a specialized mechanism to monitor and take appropriate action on human rights violations.

Second, the default response of the international community cannot be coercive measures, including under Chapter VII of the Charter.

Third, R2P must not become a tool in the hands of the powerful to pressurize weaker states, and bring about regime change. Resort to Chapter VII, particularly Articles 41 and 42, may be taken only after serious and genuine efforts at the pacific settlement as set out in the UN Charter have failed. Even while applying Chapter VII, the use of force should be considered as a measure of last resort. Any action involving R2P must be taken under the auspices of the UN and not outside the UN framework.

Mr. President,

We believe that actions under responsibility to protect should be based on impartiality, neutrality and proportionality. In conflict situations, there must be push for

early political engagement with the parties concerned. Response of the international community must be necessarily calibrated and must stress, at all times, dialogue and peaceful resolution. Moreover, there have to be inbuilt mechanisms for monitoring and reporting measures taken by the Member-States as well as course correction depending on how the situation concerned evolves on the ground. In this context, responsibility while protecting (RWP), as proposed by Brazil, is equally important. If R2P is to regain the respect of the international community, it has to be anchored in the concept of RWP.

Mr President

The United Nations and its Member States, and regional or sub-regional organizations must be there to offer assistance, as required by the State, including capacity building, to strengthen such policies and programmes, which must be national owned.

The spread of education, economic growth, equal opportunities, social coherence, gender equality, religious tolerance, and adherence to the rule of law nationally and internationally are factors that can contribute to help prevent atrocity crimes.

Mr. President

Finally, I would like to emphasize that the effectiveness of the implementation of R2P is linked to the balanced and impartial discharge of their responsibilities and obligations by Member States under the UN Charter. The reform of the United Nations governance system in tune with the contemporary realities will go a long way in ensuring this changed dynamics which is critical for the successful implementation of R2P.

I thank you.