



Excerpts of R2P related comments in government statements

Security Council Open Debate on the Protection of Civilians in Armed Conflict 26 June 2009

African Union

[A]rticle 4(h) of the Constitutive Act of the African Union further conveys a mandate on the Union to intervene in a member State [*sic*] pursuant to a decision of the Assembly in respect of grave circumstances — namely, war crimes, genocide and crimes against humanity — in order to protect civilians. Furthermore, the provisions of institutions comprising the African Peace and Security Architecture — notably the Peace and Security Council, the African Stand-by Force, the Panel of the Wise and the African Continental Early Warning System — also include important elements pertaining to the protection of civilians in situations of armed conflict. The African Union's Post-Conflict Reconstruction and Development framework further sets out principles for comprehensive post-conflict recovery, rehabilitation and reconciliation in three phases and six major pillars.

The adoption of that legal framework demonstrates the commitment of African States to fully play their role in efforts to protect civilians in situations of armed conflict.

Burkina Faso

Despite the recommendations emanating from the debate held in January 2009 on the protection of civilians in armed conflict, civilian populations unfortunately continue to be the victims who suffer the most in conflicts — sometimes due to deliberate acts and often through such heinous and barbaric acts as sexual violence, assassination, suicide attacks, massacres of entire populations and the use of sophisticated weapons. All of that takes place in violation of international humanitarian law, Security Council resolutions and other relevant international legal instruments, as well as without regard for the principle of the responsibility to protect, which was adopted by the United Nations in 2005.

The protection of civilians in armed conflict is a collective and shared responsibility that requires all concerned parties to display true political will and firm commitment. However, States bear the primary responsibility for this and must take all measures necessary to create an enabling security environment and to meet the fundamental needs of civilians, displaced persons and refugees.

China

Responsibility for the protection of civilians falls first and foremost on national Governments. The international community and external organizations may provide constructive assistance. However, while doing so they must abide by the relevant provisions of the United Nations Charter and fully respect the will of the countries concerned and their sovereignty and territorial integrity. They must do all they can to avoid wilful intervention in that regard.

Czech Republic on behalf of the European Union

The European Union emphasizes the need to operationalize the concept of the responsibility to protect. All heads of State and Government endorsed the principle of responsibility to protect in 2005, and the European Union continues to call for the full implementation of that principle by the Security Council, as well as by the General Assembly.

France

To conclude, I would like to underscore that, while the General Assembly prepares to debate the responsibility to protect, it is urgent to make that concept operational. It is an ambitious concept, and it is not solely a matter of the Security Council intervening in mid-crisis to stop the most atrocious crimes, which we are all, of course, determined to do. Above all, we must act in advance to avert those crimes and to strengthen the early-warning and monitoring systems in the risk areas. France will not spare its efforts to achieve a consensus on that point in the next few months.

Guatemala

To conclude, in view of what I have said, allow me to mention one subject that cannot be omitted from our debate today and is of particular relevance in meeting the previously mentioned challenges. Our delegation is among those that consider paragraphs 138 and 139 of the 2005 World Summit Outcome (General Assembly resolution 60/1) to be one of the most important achievements of that meeting. The development of the doctrine of humanitarian law in the past years marks, in our opinion, an important step forward. The primary responsibility to protect civilians falls on States, and they, in turn, are obliged to seek international help when they cannot provide it. In the coming years, both the General Assembly and the Security Council will have a very prominent role to play to make that concept operational; this offers an opportunity to continue improving the United Nations assistance framework.

We must collectively ensure that populations at risk have access to the best possible protection at all times. The Security Council and the entire international community will be judged by their capacity to protect the most vulnerable. That is a challenge to which we must immediately respond.

Italy

I would like to conclude on a more general note by recalling the reaffirmation by resolution 1674 (2006) of the principle of the responsibility to protect, a cardinal achievement of the United Nations. That principle implies that sovereignty brings special responsibilities. Governments must protect their own populations, and the best way for them to do so is to promote human rights, the rule of law and democratic governance. Only when a Government is unable or unwilling to do so should the international community intervene. The responsibility to protect should not be perceived in a confrontational manner; it should be seen instead as an instrument available to the international community to overcome crises, provided that the conditions referred to in paragraphs 138 and 139 of the 2005 World Summit Outcome (General Assembly resolution 60/1) are met.

Within that framework, the debate on the report of the Secretary-General will be a timely opportunity to build on the consensus achieved at the 2005 World Summit and concretely implement the responsibility to protect. Italy intends to actively participate in that debate.

Libya

In 2005, the World Summit endorsed the principle of the responsibility of protect civilians against the carnage of war, war crimes, ethnic cleansing and crimes against humanity. The Summit affirmed that the principal [*sic*] responsibility to protect their citizens lies with the States concerned, and that the international community is responsible for assisting them in that task, as is the Security Council through its resolutions, in particular resolution 1674 (2006). That affirmation has allowed us to identify measures to protect civilians in armed conflict. Such measures must, however, be strictly implemented.

Mexico

The situations [humanitarian crisis in Sri Lanka and the situation in Middle East] that I have just referred to, as well the others that have been mentioned today, illustrate that the responsibility to protect — a principle adopted by the General Assembly in 2005 — is not an abstract concept but rather one whose real value we can appreciate when we face crisis situations. Let us not fall into an endless theoretical debate while reality outpaces our Organization's capacity to act.

We should bear in mind that violations of the norms and basic principles of international humanitarian law constitute war crimes, and that it is the Member States who bear the primary responsibility to investigate and prosecute those allegedly responsible for them

Morocco

When the 2005 World Summit endorsed the principle of the responsibility to protect, it did so taking into account the sovereignty of States and their primary responsibility to protect their own populations against any foreign intervention. As we see it, the implementation of this principle should be the subject of broad, multilateral and universal consultation to define the parameters and field of action of such protection.

Nicaragua

First, the protection of civilians in armed conflict must be carried out within the framework of strict compliance with the principles contained in the United Nations Charter, with full respect for the national sovereignty and territorial integrity of the countries involved in a conflict. Although the principle of the protection of civilian populations is among the most commendable, we shall not allow it to be manipulated so that some interfere in the strictly internal affairs of sovereign States. Unfortunately, there is a plethora of examples of that type of manipulation in the history of Nicaragua, Latin America and the Caribbean in general.

Peru

[T]here are still inexcusable situations where human rights and international humanitarian law are violated in the different conflicts that now persist. The civilian population, women and children in particular, are the main victims.

In light of this situation, the Security Council must maintain and promote concrete and effective action to ensure the protection of civilians in armed conflicts and of displaced persons and refugees. Therefore we urge the Council to effectively manage the complete implementation of its resolutions 1296 (2000) and 1674 (2006), which reflect the heart of today's debate — in other words, the responsibility of all Member States to protect the civilian population in armed conflicts. Along with those efforts, it would be desirable for the debate on the responsibility to protect to begin as soon as possible in the relevant forum.

Sri Lanka

The role of Governments in civilian protection should be respected, as it is their primary responsibility to protect their own citizens, especially in times of armed conflict. United Nations and other humanitarian agencies must support and assist Governments and in doing so be sensitive to ground realities including respect for the sovereignty of States.

Turkey

[M]y delegation studied carefully the recent report of the Secretary-General (S/2009/277), which gives a comprehensive account of the latest situation in various theatres and the difficulties encountered in protecting civilians. The report clearly demonstrates the magnitude of the task incumbent upon all of us to ensure the effective protection of civilians in times of conflict. This should be a collective and multidimensional effort, with the primary obligation and responsibility resting first and foremost with States. Yet the entire international community, including non-governmental organizations and international organizations, has a responsibility to protect civilians.

United States

At the 2005 World Summit, Member States reached a mutual understanding that all nations have the responsibility to protect their civilian populations and that the international community has the responsibility to protect civilians when States are unwilling or unable to do so. The Security Council reaffirmed that commitment in resolution 1674 (2006). The Council has taken that principle into account, in part, in its actions on the Sudan and the Democratic Republic of the Congo.

Venezuela

The Government of the Bolivarian Republic of Venezuela reiterates that the primary responsibility for the protection of civilians in armed conflicts resides with States, and that the international community can play a constructive role in support of national efforts, always with respect for the sovereignty and territorial integrity of States.

We also view with concern the attempts of some States to interpret as they see fit the concept of responsibility to protect contained in paragraph 139 of the Final Document of 2005 World Summit. Some countries have groundlessly tried to affirm that this concept is a norm that can be implemented without the required discussions, but we believe that the General Assembly must discuss this concept and provide it with a consensus interpretation.

Vietnam

As it has in all Security Council debates and other meetings on this topic, my delegation reiterates Viet Nam's consistent view that the State must bear the primary responsibility for protecting its civilians and that, as the largest and most representative organization of States, the United Nations system has a critical role to play, particularly in political mediation, peacekeeping operations and humanitarian and development assistance.