

**Video Message of Navi Pillay, United Nations High Commissioner for Human Rights on
the occasion of the Human Rights Council Side Event on the Responsibility to Protect**

19 June 2012

The gas chambers of Auschwitz, the killing fields of Cambodia and Rwanda and the mass graves of Srebrenica will always remind us that the world must never stand by and allow mass atrocities to take place. At the World Summit of 2005, the Heads of States and Government solemnly recognised that every state, and the international community as a whole, has the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

In accordance with the notion of state sovereignty as responsibility and the most basic tenets of international human rights law, it is first and foremost the responsibility of each State to protect its own population. At the same time, the leaders gathered at the 2005 World Summit recognized that, when necessary, the international community should assist States in implementing the responsibility to protect their own population. Finally, where a State manifestly fails to protect its own population, the international community has a responsibility to protect, which it must exercise using the means prescribed – and circumscribed – by the Charter of the United Nations.

I welcome the timely initiative of Australia, Hungary, Nigeria, Thailand and Uruguay to discuss the role of the Human Rights Council regarding the Responsibility to Protect. This cross-regional initiative underscores that the Responsibility to Protect remains alive and highly relevant in light of today's challenges.

Without seeking to pre-empt your discussions, I recall that the Human Rights Council has played and will continue to play an important role in developing and implementing the Responsibility to Protect. When crimes and violations covered by the Responsibility to Protect occur, the Human Rights Council provides a representative international forum to urgently convene states, notably through special sessions and urgent debates. On some occasions, the Council has sent a united and strong signal that such atrocities will not be tolerated and individual perpetrators must be brought to account. I encourage the Council to consistently take such strong and united action.

Commissions of Inquiry and other fact-finding mechanisms set up by the Council are also relevant. They provide a means to gather objective and up-to-date information. Their

recommendations point to appropriate national or international action to curb the crimes and violations covered by the Responsibility to Protect.

Let me stress that having to *react* to past or on-going atrocities implies that we have already failed to protect. The most effective way to implement the Responsibility to Protect lies in the prevention of relevant violations and crimes before they occur. It is at this stage that the Council can be most effective.

The crimes and violations covered by the Responsibility to Protect never happen without warning. They occur because warning signs such as the persecution of minorities, hate speech, patterns of sexual violence, child soldier recruitment or a rapid deterioration of the social and economic situation are not perceived or understood or they are deliberately ignored. Witnesses in the Rwanda Genocide Trials said that Hate Speech over the years were like small drops of petrol that set the whole country on fire.

I would like to encourage states to continue to closely study the information and insights generated by Special Procedures and treaty bodies, which can provide early warning. In the same vein, the Council should ensure that the reports and recommendations of its Special Procedures bear more systematically and effectively on its decisions and outputs, including through the Universal Periodic Review.

I welcome the occasions on which the Council has supported initiatives of my Office to deploy monitors or set up field offices in situations at risk, often with the invitation to report back to the Council on their findings. My Office and I stand ready to expand our monitoring, reporting and early warning activities as and when needed.

As regards international assistance to states who need support in implementing the Responsibility to Protect, the Human Rights Council can signal human rights-based priorities to donors and bodies that coordinate humanitarian, development assistance and peacebuilding efforts. This can help ensure, for instance, that effective support is provided to national rule of law and human rights institutions that can curb grievances and tensions lying at the root of Responsibility to Protect crimes and violations. I also appreciate the Council's support for technical assistance initiatives of my Office aimed at developing national capacity to prevent gross human rights violations.

I will leave you with these brief remarks and look forward to hearing about the outcome of your discussions.