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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Joint written statement* submitted by the Indian Movement “Tupaj Amaru”, a non-governmental organization in special consultative status, the World Peace Council, a non- governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[1 September 2011]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Neo-colonial military intervention in Libya

I. Background

The Indian Movement “Tupaj Amaru” would like to draw the attention of the Human Rights Council to the military aggression against the Libyan people perpetrated by the United States of America and its Allied Forces, under the pretext of protecting the civilians or “human rights”. This constitutes a flagrant threat to the stability of peace and international security in the Middle East, North Africa and the world.

The perpetuation of war in the time of the colonial and neo-colonial order in all its new and more aggressive forms and manifestations, the oppression of man by man, the practice of all forms of racial discrimination, and schemes to appropriate natural resources threaten international peace and collective security and constitute a crime against humanity.

In open defiance of the historic trend in social and political history, Western neo-colonial Powers continue to violate the integrity and sovereignty of developing countries and the rights of all peoples to self-determination that form the cornerstone of contemporary international law.

The Western post-colonial Powers continue to impose their own view of the world on developing countries; in particular to Indigenous peoples: their own model of production and consumption; and, their own political concepts of democracy and human rights as intangible and universal values.

Economic and military Powers use and abuse the Human Rights Council and UN Security Council. They ruthlessly sacrifice as scapegoats on the altar of a new world order the supposed violators of human rights.

From the tragedy of 11 of September, the world has succumbed to a spiral of violence. Chaos, organized crime, financial speculation and swindle, disorder and insecurity constitute a real threat to the peace and to international security. In this “free world”, nobody feels free nor secure.

Under the pretext of the struggle against terrorism, the United States and Union European play the role of lawyer and judge. They accuse and denounce the militant defenders of human rights. They exclude Indigenous peoples and their NGOs in Consultative Status with Economic and Social Council of the United Nations.

In reality, we survive in the logic of war and the military interventions imposed by neo-colonial Powers against the peoples of the third World, the war of the ancient colonizers against the ancient colonized peoples, the military Western Powers against the underdeveloped countries, the war of the rich against the poorest, the war of “civilized” against the peoples that they consider “savages and barbarians”.

Today the self-determination and sovereignty considered as a basic principles of international law, is mutilated by the recent neo-colonial war against Libya.

II. Neo-neo-colonial military intervention in Libya

The Western neo-colonial Powers and the United States have long supported dictators and corrupt governments in the Middle East, Africa and Latin America while publicly preaching “freedom, “human rights,” “democracy”. They have long manipulated international and regional institutions and UN bodies for preserving and covering their geopolitical strategies and serving the economic interest of the biggest transnational corporations.

The US economic and military power and its old and new Allied Forces of Western and oriental Europe were evident in cases where decision-makers sanctioned the developing countries that did not surrender to the imperial diktats, as has been the case in Libya.

But Libya was excluded because it is not pro-Western Ally in many ways, and did not serve Western interests like some of the other countries in the Middle East.

Under the hegemony of the United States, the Western Powers use and abuse Human Rights and democracy for the purpose of condemning or destabilizing a sovereign country by means of economic sanctions and political and diplomatic pressure. That was what happened in the wars against Yugoslavia, Afghanistan, Iraq and Libya.

The temptation is strong for the United States to marginalize the United Nations. It acts in place of the Security Council, ignores the role of the International Court of Justice in the peaceful settlement of regional and international disputes and rejects and refuses the existence of the International Criminal Court.

The United States of America, believing that they are the only economic and military Power on Earth, imposes on the peoples of developing countries its unilateral vision of democracy, its model of development and its conception of human rights as absolute and universal world values. In globalised world, American hegemonic and military Power subjugates the peoples as no empire has ever done in the history of humanity.

Nevertheless, the Administration of Washington and its Allied Forces and European accomplices continue to impose on the international juridical order, bombs and missiles in the solution of the conflicts and regional and international controversies, in flagrant violation of the UN Charter.

Exiling the old methods, resuscitating the Colonial doctrines and usurping the role of the UN Security Council, imposing unilateral will to peoples, the NATO coalition and its unconditional allies: the United States of America, the United Kingdom, France Canada, Italy, Norway, the United Arab Emirates, Spain, Denmark, Qatar et, in complicity with Arab League, on 19 March 2011 have engaged in the unlawful military attack against Libyan territory.

Why? because, the neo-colonial system of power continues to profit enormously from the exploitation of natural resources of colonial and semi-colonial countries under the protection of their military force.

The neo-colonial powers want to have control of Libya's vast oil reserves and other natural resources. They had proclaimed the cause "of human rights and democracy" as a cloak for their predatory interests. In other words, the neo-colonial system has assumed an even more violent and oppressive character. The capitalist powers have neither principles nor morals. They only have interests.

III. New responsibility concept to protect or "civilizing missions"

The so-called "responsibility to protect" or "new international security" within North-South relations indicates the return of the old colonial system manifested in a new and aggressive form.

Curiously the author of the concept "Responsibility to protect" was Mr. Gareth Evans, a former Australian Foreign Minister and Executive Officer of the International Crisis Group and Co-chair of the International Commission on Intervention and State Sovereignty which initiated the "responsibility to protect" concept.

In 2002, one year before the illegal US-UK military aggression against Iraq, Evans published a seminal paper in Foreign Affairs, the journal of the New York Council on Foreign Relations. He was clearly trying to justify or legitimize the "Responsibility to

Protect: “Ending Mass Atrocity Crimes One and for All”, in his book published by the Brookings Institution in 2008. So, the Responsibility to Protect (R2P) concept was born in 2001.

At the UN World Summit in 2005, the UN General Assembly adopted a declaration on the responsibility to protect authorizing international collective action “to protect a population from genocide, war crimes, ethnic cleansing and crimes against humanity”.

This approach remains politically incoherent, with many developing states worrying that R2P goes too far or is too vulnerable to misuse by military intervention powers.

According to its protagonists, the “responsibility to protect” has been conceived of as a new international norm, which is diametrically incompatible with the international law. Proclaimed by its authors, the collective coercive sanctions supposedly prevent and stop crimes against humanity, such as genocide or violent civil war, or ethnic cleansing.

In the interpretation of the architects, the responsibility to protect is a norm or set of principles based on the idea that sovereignty is not a privilege, not a law any obligation of international community “to determine the existence of any threat to the peace, breach of the peace” in the global world. (Article 39, UN Charter).

But the doctrine responsibility only focuses or provides a framework for preventing and stopping mass atrocity, genocide, civil war crimes, and ethnic cleaning which might be justifying, in last resort, the military interventions.

Contrary to the position of the author, a sovereign State has a responsibility to protect its population from foreign military aggression which cause the death of thousands of civil population, destruction of the infrastructure, electricity, genocide, crimes against humanity and ethnic cleansing, as that happened in Yugoslavia, Iraq, Afghanistan and Libya.

If the State is unable to protect the population in its own country, or is manifestly failing to protect its citizens and territorial integrity from neo-colonial aggression or natural catastrophes, the international community has moral and political obligations to assist the state by stopping the aggression or mediating conflicts between the aggressors and the aggrieved parties, and establishing and strengthening security and peace.

The so-called humanitarian “responsibility to protect” doctrine opens a dangerous new concept to justify de facto violations of sovereignty of other countries and neo-colonial policy of military intervention in developing countries. Who should now decide which side in a given conflict is right?

Following the opinion of Professor William Engdahl, under “responsibility to protect” the United States and a few select Western allies especially could potentially define China as in violation of the human rights of its Tibetan or other ethnic minority citizens and order NATO troops to intervene in a “humanitarian action”.

In other words, the Members of NATO might decide to intervene in the internal affairs in Chechnya, an integral part of the Russian Federation, because Moscow troops have been occupying the Chechnyan territory.

In this same logic, the Western Powers have using and abusing the rhetoric of “human rights and humanitarian protection». This rhetoric might be used to call for a NATO no-fly zone over Belarus or Ukraine or Venezuela, Bolivia or Cuba, perhaps Brazil, to legitimate their illegal military interventions, for instance.

Hypocrisy and double-standards mean that in fact, some populations are protected while others are ignored. Why intervene to stop a potential violation of human rights in Libya and ignore real massacres or genocide in other Arab countries? Why have the Western Powers and the United States of America taken sides in the Libyan civil war?

NATO is accused of taking sides in a civil war against Libya. Today there exist testimonies that this is a civil war started by NATO member states. Many experts ask: why then is NATO supporting this terrorist group and others in an internal conflict?

The primary architects of the “responsibility to protect” or “civilizing missions”, struggle against wind and tide, bombs and missiles, in trying to solve the internal conflicts of any State. In doing so, they place humanity in the path of blood and fire and this behavior constitutes an act of gross irresponsibility.

Advocates of this irresponsibility insist that they are trying to change or replace the architecture of the international juridical order learnedly conceived after the Second World War.
