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*President:* Mr. Kőrösi . . . . . (Hungary)

*The meeting was called to order at 3 p.m.*

## Agenda item 88

### Extraordinary Chambers in the Courts of Cambodia — residual functions

#### Report of the Secretary-General (A/77/789)

#### Draft resolution (A/77/L.76)

**The President:** I give the floor to the representative of Germany to introduce draft resolution A/77/L.76.

**Mr. Hasenau** (Germany): Germany has the honour to introduce draft resolution A/77/L.76, under agenda item 88, in my capacity as current chair of the Principal Donors Group, which was formed in support of the Extraordinary Chambers in the Courts of Cambodia. In that function, I am speaking on behalf of Cambodia, as well as the members of the Group: Australia, France, Germany, Japan, Norway, the Republic of Korea, Sweden, the United Kingdom and the United States of America.

Twenty years ago, following the request of the Cambodian Government, the United Nations helped to establish the Extraordinary Chambers in the Courts of Cambodia, a special Cambodian court to prosecute the crimes of the senior leaders of the Khmer Rouge. Since then, the Extraordinary Chambers made a critical contribution to accountability by holding a number of accused responsible for Khmer Rouge atrocities. By doing so in public trials, the Extraordinary Chambers provided access to justice for victims through wide civil party participation. The achievements of the

Extraordinary Chambers include legal capacity-building with regard to the domestic court system, as well as strengthening civil society organizations as they provided assistance to victims and civil parties. Finally, the Extraordinary Chambers contributed to Cambodia's public discourse on the Khmer Rouge crimes and period, including the reflection of Khmer Rouge history in the curriculum of the public education system. With the completion of the trial phase, the important residual phase of the Extraordinary Chambers has begun. That phase includes, inter alia, the implementation of judicial orders, the management of the Chambers' archives and the dissemination of information.

The draft resolution before the General Assembly today is important to ensure that those residual functions continue smoothly. Cambodia and the Principal Donors Group continue their efforts to facilitate them. It is essential that the Chambers' legacy be secured both in Cambodia and internationally. That includes making use of the lessons learned from the work of the Extraordinary Chambers in our fight against impunity for core crimes under international law.

**Mrs. Eat** (Cambodia): First of all, may I thank you, Mr. President, for convening this meeting to consider draft resolution A/77/L.76, on the Extraordinary Chambers in the Courts of Cambodia (ECCC). Allow me to also express my high appreciation to the Principal Donors Group, in particular Germany, in coming up with the draft resolution and in co-sponsoring it.

From 17 April 1975 to 6 January 1979, the people of Cambodia lived under what is well known as the

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Khmer Rouge regime. The regime deprived our nation of all forms of human rights. Roughly a third of the Cambodian population lost their lives to execution, starvation and diseases. With full peace attained in 1998, the Royal Government of Cambodia sought the support of the United Nations in seeking accountability for crimes committed during that darkest period of Cambodia's history.

In 2006, the Extraordinary Chambers in the Courts of Cambodia were created to bring justice to the victims and survivors of the Khmer Rouge regime. In discharging its role, that hybrid tribunal convicted the three most senior leaders of the Khmer Rouge for crimes against humanity, war crimes and genocide. Last year, the ECCC completed its main function when Khieu Samphan, the Head of State during the Khmer Rouge regime, was sentenced to life in prison. Now, there are still residual functions for the ECCC to perform.

I would like to thank the Secretary-General for his leadership and his report, in document A/77/789, which provides a comprehensive overview of the court's proceeding, the challenges it faced and the achievements it made. The ECCC delivered legal and moral recognition and accountability for the crimes committed during the Khmer Rouge regime. While there is justice for the victims, those surviving the holocaust, myself included, can look to the future with a sense of closure that the difficult question of justice has been addressed. The wounds deep down in our hearts are healing, even though scars will remain. The reconciliation that the ECCC helped to engender allows our nation to build a peaceful and bright future for our future generations.

Throughout the ECCC process over the past 17 years, an unprecedented number of people — 240,000 individuals to be exact — attended the hearings, and many more watched live on television. The residual functions of the ECCC are designed to preserve its legacy and to ensure that the work of that extraordinary tribunal continues to have a positive impact long after its judicial proceedings have concluded. By providing broad public access to its archives and disseminating information on its work, the ECCC enables future generations to have a deep knowledge of the most tragic chapter of Cambodia's history and will prevent the recurrence of the same tragedy in future.

Finally, may I convey my Government's gratitude to the United Nations and all Member States, especially

the Principal Donors Group, for their continued financial, technical and moral supports to the ECCC. Their support for draft resolution A/77/L.76, on the residual functions of the ECCC, reflects recognition of the Tribunal's accomplishments and the importance of its residual functions, which ensure the Tribunal's fulfilling conclusion, including reparation and support for the victims.

**Mr. Hoang Nguyen Nguyen** (Viet Nam): My delegation wishes to express its appreciation to the delegation of Germany for its introduction of draft resolution A/77/L.76, on the Extraordinary Chambers in the Courts of Cambodia (ECCC).

The fact that this item is on the agenda of the General Assembly nearly five years after the verdict and nearly a year after the final decision of the Court is an indication of the ECCC's continued relevance and the significance of its legacy.

Although the Court proceedings and outcomes were long-awaited, if belated, the ECCC has brought eventual justice to the millions of innocent victims and their families, including both Cambodians and Vietnamese. The ECCC verdicts were also an overdue vindication of the righteousness of Viet Nam's self-defence and subsequent joining forces in solidarity with the Cambodian United Front for National Salvation to put an end to the genocidal regime of Pol Pot.

Unfortunately, that fact was politicized at the time, and, for that, Viet Nam was wrongfully sanctioned for many years. From a broader perspective, the ECCC can serve as an example of the perseverance of international law and a sound reminder of the fact that crimes of atrocity, especially genocide, must be and will be duly punished. In that spirit, Viet Nam welcomes the latest draft resolution to support the residual phase of the ECCC.

**The President:** The Assembly will now take a decision on draft resolution A/77/L.76, entitled "Extraordinary Chambers in the Courts of Cambodia — residual functions". May I take it that the Assembly decides to adopt the draft resolution?

*Draft resolution A/77/L.76 was adopted (resolution 77/299).*

**The President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 88?

*It was so decided.*

## **Agenda item 128 (continued)**

### **Global health and foreign policy**

#### **Draft resolution (A/77/L.77)**

**The President:** Before we proceed to take action on these proposals, I should like to inform members that the Assembly will hold a debate on this item at a date to be announced.

I now give the floor to the representative of Mexico to introduce draft resolution A/77/L.77.

**Mr. De la Fuente Ramírez (Mexico)** (*spoke in Spanish*): Today I have the privilege to introduce, on behalf of my country, draft resolution A/77/L.77, on an issue that Mexico has stressed in various forums: the critical topic of mental health and psychosocial support.

I would like to begin by thanking and acknowledging those delegations that made up the core group that submitted the draft resolution for consideration by the General Assembly: Argentina, Canada, Israel, Japan and Morocco. Their contribution was critical to bridging positions and enriching the text.

I wish also to thank all delegations for their contributions throughout the negotiations. The goal of the draft resolution that we are submitting for consideration by the General Assembly is to explicitly underscore the importance of ensuring access to mental-health and psychosocial support services in an inclusive manner. Of course, that is part and parcel of a broader strategy to put the issue on the multilateral agenda, and, in that context, it is in line with resolution 2668 (2022), adopted unanimously by the Security Council in December 2022.

Recognizing the importance of mental health means recognizing also the dignity and comprehensive well-being to which we all have a right, without any exception. During the negotiations, it was crystal-clear that there are different views on the way in which one could refer to or understand concepts such as mental health itself or psychosocial disabilities. However, from the very beginning it was also very clear that there is consensus about the importance of those issues on the United Nations agenda.

Of course, various priorities had to be given pride of place — for instance, eliminating stigma and discrimination towards people who suffer from some

kind of mental condition or psychosocial disability and ensure that we stress the need and the right that they have to receive psychosocial support services.

The draft resolution also stresses that any kind of form of discrimination or stigmatization must be avoided. Mexico has always been a historical ally of persons with psychosocial disabilities. In 2001 we proposed to the General Assembly the drafting of a specific convention to protect the rights of persons with disabilities. Today we reiterate our commitment to respect for and the protection of the human rights of persons with disabilities and, indeed, of all people, without leaving anyone behind.

I would note also that not all mental conditions lead to disability. Of course, access to psychosocial support services, community services, support from peers and, sometimes, the use of safe and effective medications enable people to play their role in society on an equal, active and participatory footing.

Addressing the issue of mental health also means breaking down forms of fundamentalism. The medical approach and the human rights perspective are not mutually exclusive. On the contrary, we must maintain a healthy balance between the two. To uphold people's mental health and comprehensive well-being, we must bear in mind the progress made in the medical domain and the human rights of all people with the same degree of rigour

The draft resolution that we will be adopting today grapples with all these sensitive and delicate issues in a clear and balanced way. But adopting it is not enough. While it is a step in the right direction, we will have to continue making headway until mental health is part and parcel of universal health coverage.

Indeed, it is not just about ensuring access to health services through a human rights approach and a gender-based approach. We now need to focus more on the social, economic and environmental conditions that impact people's health, with a preventive approach and with effective care services that bear in mind people's living conditions.

Today the General Assembly is adopting, for the first time in its history, a draft resolution that dignifies mental health, protects human rights and calls for the right to mental-health and psychosocial services for all, with no exclusion. I therefore invite all delegations to join the consensus and to co-sponsor this unprecedented

and momentous draft. It is not only a historic landmark but also and above all a call for action to translate the content of the draft resolution into reality. There remains a great deal more to do.

**The President:** We shall now proceed to consider draft resolution A/77/L.77.

I now give the floor to the representative of the Secretariat.

**Mr. Nakano** (Department for General Assembly and Conference Management): I should like to announce that since the submission of the draft resolution and in addition to those delegations listed in document A/77/L.77, the following countries have also become co-sponsors: Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, the Dominican Republic, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Luxembourg, Malta, Monaco, Montenegro, Namibia, the Kingdom of the Netherlands, New Zealand, North Macedonia, Norway, Panama, Peru, the Philippines, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, South Africa, Spain, Switzerland, Türkiye, Tuvalu, Ukraine, the United Kingdom and Uruguay.

**The President:** The Assembly will now take action on draft resolution A/77/L.77, entitled “Mental health and psychosocial support”.

I give the floor to the representative of the Secretariat.

**Mr. Nakano** (Department for General Assembly and Conference Management): The following statement is made in the context of rule 153 of the rules of procedure of the General Assembly.

Under the terms of the last operative paragraph of draft resolution A/77/L.77, the General Assembly would request the Secretary-General to provide, in consultation with Member States and in close collaboration with the World Health Organization, other relevant agencies and relevant stakeholders, a progress report during the eighty-eighth session of the General Assembly on the implementation of the present draft resolution.

The request contained in the last operative paragraph of the draft resolution would constitute

an addition to the documentation workload for the Department for General Assembly and Conference Management of one pre-session document with a word count of 8,500 words in all six languages in 2025 and entail additional non-recurrent resource requirements in the amount of \$24,500 in 2025.

Accordingly, should the General Assembly adopt draft resolution A/77/L.77, additional resource requirements in the amount of \$24,500 under section 2, General Assembly and Economic and Social Council affairs and conference management, would be included in the proposed programme budget for 2025 for the consideration of the General Assembly at its seventy-ninth session.

The statement I have just read out will also be made available in *The Journal of the United Nations* under the e-statements link for this meeting.

**The President:** May I take it that the Assembly wishes to adopt draft resolution A/77/L.77?

*Draft resolution A/77/L.77 was adopted (resolution 77/300).*

**The President:** Before giving the floor for explanations of position following adoption, may I remind delegations that explanations are limited to 10 minutes and should be made by delegations from their seats.

**Ms. Skoglund** (Sweden): I have the honour to deliver this statement on behalf of the European Union (EU) and its 27 member States. The candidate countries North Macedonia, Montenegro, Serbia, Albania, Ukraine, the Republic of Moldova and Bosnia and Herzegovina, the potential candidate country Georgia, as well as Monaco, align themselves with this statement.

It was just over three years ago that economies and societies came to a halt as the coronavirus disease pandemic swept across the world. The pandemic clearly showed us that we need a concerted approach at a global level when dealing with health challenges of that magnitude. It underlined the importance of international coordination

We are now faced with the longer-term mental-health consequences of the pandemic, all too often impacting children and adolescents, and for all too many, that adds to the disastrous impact on mental health of war, conflict and crisis. The EU member States co-sponsored and gladly joined consensus on resolution 77/300. We

thank Mexico, Argentina, Japan, Canada, Israel and Morocco for their efforts in championing the issue of mental health at the United Nations and for presenting this timely text to the General Assembly. We also thank the World Health Organization (WHO) for its extensive technical support during the discussions.

The resolution brings, for the first time, the issue of mental health and psychosocial support for sustainable development and peace to the attention of the plenary. We appreciate the fact that the resolution builds on and bridges the health and human rights perspectives on mental health. It builds on both the extensive work of WHO on mental health as well as resolutions of the Human Rights Council to end stigma, discrimination and violence in mental health and to respect, protect and fulfil the human rights of persons with mental-health conditions and psychosocial disabilities.

The EU and its member States have markedly reinforced efforts to address mental health. We strive to promote well-being, prevent mental-health conditions, ensure access to quality care and enhance access to mental-health services. Timely support is critical in managing mental-health difficulties, and the EU emphasizes the need for a comprehensive approach of prevention, early intervention and integrated care.

A few weeks ago, on 7 June, the European Commission presented a comprehensive strategy on mental health, taking a holistic and human-rights-based approach based on three guiding principles: adequate and effective prevention; access to high-quality and affordable mental-health care and treatment; and reintegration into society after recovery.

Rapid technological, environmental and societal changes have greatly affected people and their ability to cope. This approach recognizes that mental health is about more than just health. It involves areas such as education, digitalization, employment, research, urban development, environment and climate. It has been developed after extensive consultations with EU member States, stakeholders and citizens, and it identifies 20 flagship initiatives on mental health with dedicated financing.

Mental health will feature increasingly in our global efforts, notably the EU and its member States' support for mental health for those in need. To cite one example, the new strategy pledges mental-health services for displaced and affected people and the dissemination of

the Inter-Agency Standing Committee Mental Health and Psychosocial Support Minimum Service Package.

More broadly, to tackle the crisis, mental health needs to be put on a par with physical health. Last November, the European Commission presented a new EU Global Health Strategy, which puts forward various actions aimed at tackling health inequalities worldwide and combating health threats in the age of pandemics. The strategy addresses important lessons from the pandemic through a renewed, broad global health agenda. It promotes health and includes mental health as an integral part of universal health coverage, as an essential pillar of EU external action and international cooperation.

The strategy puts forward three key interrelated priorities: first, stepping up efforts to deliver better health for people across the course of their lives; secondly, strengthening health systems and advancing universal health coverage; and, thirdly, preventing and combating health threats, including pandemics.

The EU recognizes the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. We promote a human-rights-based approach to mental health. Research and knowledge exchange lie at the heart of our strategies. We recognize the importance of evidence-based practices and seek to advance our understanding of mental health through scientific exploration, fostering collaboration and sharing insights, in order to inform policies and interventions.

In embracing mental health as a priority in our internal and external policies, the European Union envisions a healthier and more inclusive society. Ensuring accessible and high-quality mental-health services free of stigma and discrimination is key to achieving universal health coverage and, more broadly, the fulfilment of the 2030 Agenda for Sustainable Development.

By working together, we can create an environment where individuals are supported, stigma is eradicated, and mental health is recognized as an integral part of overall well-being. We need to unite in our efforts to ensure that no one is left behind and that mental health is truly a priority for us all.

**Mr. Al Busaidi** (Oman) (*spoke in Arabic*): I am honoured to deliver this statement on behalf of the delegations of the Gulf Cooperation Council (GCC),

namely, the United Arab Emirates, the Kingdom of Bahrain, the Kingdom of Saudi Arabia, the State of Qatar, the State of Kuwait and my own country, the Sultanate of Oman.

At the outset, our States express their thanks and appreciation to the delegation of Mexico for its efforts in facilitating resolution 77/300, which was adopted today. We wish also to commend the efforts of the facilitator and the flexibility shown in listening to the various viewpoints during the negotiations.

The delegations of the GCC States joined the consensus on the resolution, as they believe in the importance of the issue of mental health, which the resolution addresses and which is of great interest to our countries.

That resolution is the first of its kind to be submitted to the General Assembly, as it addresses mental health and its psychological and social impact. However, with regard to what is termed sexual and reproductive health and rights, which the resolution also addresses, the delegations of the GCC States emphasize that they view that issue in the context of their cultural and societal frameworks, in line with the national laws and regulations of our countries.

**Ms. Korac** (United States of America): I have the honour to deliver the statement on behalf of Australia, Canada, New Zealand, the United Kingdom and my own country, the United States.

We were pleased to co-sponsor, and, in my country's case, join the consensus on resolution 77/300, entitled "Mental health and psychosocial support", which is the first resolution to address mental health adopted by the General Assembly. We would like to extend our thanks to Mexico and members of the core group for their leadership on this important initiative, which builds on recent resolutions of the Human Rights Council.

Psychosocial disabilities are a natural part of the human experience, reflecting the beautiful diversity that exists within our society. However, far too often, individuals with psychosocial disabilities face a wide range of human rights violations and abuses, including even arbitrary or unlawful deprivation of liberty, disability-based institutionalization and other coercive and harmful practices.

For decades, an insufficient amount of attention has been devoted to mental-health and psychosocial support services and systems. Too often, efforts have been

centred around a medical model of disability, resulting in the dominance of approaches that favour biomedical intervention, medicalization and institutionalization.

It is incumbent upon us to recognize that discrimination and coercive treatment are not the appropriate responses to psychosocial disabilities. A psychosocial disability should not be described as a disorder. We must embrace an inclusive approach that promotes understanding, acceptance and support, with full respect for the mental integrity of all persons, in all their diversity. We appreciate that this important resolution embraces that approach and rejects an outdated model that sees psychosocial disabilities as a problem that should be clinically defined and treated — a model that we have seen can lead to grave human rights violations.

The Convention on the Rights of Persons with Disabilities laid the foundation for a paradigm shift on mental health. We are grateful that the resolution presented here today acknowledges that shift, building on the momentum for deinstitutionalization and models of care that address underlying determinants of mental health, provide effective community-based mental-health services and psychosocial support, reduce power asymmetries in mental-health settings and respect the enjoyment of autonomy of persons with psychosocial disabilities on an equal basis with others.

We are particularly pleased that the resolution follows the path laid out by Special Rapporteur Dainius Puras in his landmark report on mental health (A/72/137), issued in 2017, and the lead of the Human Rights Council, including in its most recent resolution on the subject (A/HRC/RES/52/12). It was critically important that the resolution align with the principles of the Committee on the Rights of Persons with Disabilities and recognize the need for a human-rights-based approach.

We reiterate that mental health and well-being cannot be defined by the absence of psychosocial disabilities but, rather, by an environment that enables individuals and populations to live a life of dignity, with full enjoyment of their human rights.

We therefore call on all Member States to take this resolution forward through community-, evidence- and human rights-based services and support that respect, protect and fulfil the human rights, autonomy, will and preferences of persons with psychosocial disabilities.

We would like to reiterate the central, transformative promise of the 2030 Agenda for Sustainable Development to leave no one behind. We remain deeply concerned that indigenous peoples often experience disproportionate levels of psychosocial distress and suicide. We are pleased that this resolution acknowledges the need to support a holistic approach to social and emotional well-being for indigenous peoples, including through connections to land, culture, spirituality and ancestry.

We also underscore that women and girls with psychosocial disabilities, in all their diversity, face an increased vulnerability to sexual and gender-based violence, abuse, discrimination and negative stereotyping. Furthermore, women and girls with psychosocial disabilities often face environmental, attitudinal and institutional barriers that deny them their sexual and reproductive health and rights. We call on Member States to take all appropriate measures to ensure access to gender-responsive mental-health and psychosocial support services, including in situations of armed conflict and humanitarian emergencies.

We would have also liked to see the resolution address the common and unique barriers faced by LGBTI persons, including multiple and intersecting forms of discrimination. Evidence shows that persons of diverse sexual orientations and gender identities face disparities in terms of their mental health and are at increased risk of violence and abuse, including in medical settings. We reiterate the call of the United Nations LGBTI Core Group for adoption and implementation of the World Health Organization recommendations on an equity-focused and human-rights-based approach to the health and well-being of LGBTI persons.

Finally, we extend our thanks to Mexico for its co-facilitation of this process. The resolution is an important step in the application of a social and rights-based model of psychosocial disability and mental health. We thank Member States, the United Nations system and other stakeholders for their efforts in that regard while also recognizing that we still have a long way to go. We call on all Member States to implement the resolution, and we call on all stakeholders to ensure that mental-health and psychosocial support remains a key global priority.

**Mrs. Bonilla Alarcón** (Guatemala) (*spoke in Spanish*): My delegation would like to thank the delegation of Mexico for introducing and facilitating the

important resolution 77/300. Guatemala is committed to continuing to work to ensure a healthy life that promotes well-being at all ages, which is critical to achieving sustainable development.

Sustainable Development Goal 3 is linked not only to physical health but also to mental health and is one of our priority goals. During and after the coronavirus disease pandemic, promoting mental health became a priority issue, which, as we know, is a process that allows people to adapt to conflict situations and emerge stronger from them.

Guatemala supported the resolution, entitled “Mental health and psychosocial support”. Nevertheless, we would like to disassociate from the twenty-eighth preambular paragraph, bearing in mind that the language contained therein contravenes our national legislation and public policies to protect life and the institution of the family.

Guatemala promotes, defends and protects human rights for all, without any discrimination, in the framework of conventionality control. For that reason, our country has reservations about the use of terms, conditions and provisions that would contravene, explicitly or implicitly, the Republic of Guatemala’s Political Constitution and its internal legal order, including, but not limited to, issues pertaining to sexual and reproductive rights.

We therefore reserve the right to interpret the term “reproductive rights” in our own way, which, for the State of Guatemala, does not include abortion. There is no international consensus on how we should interpret reproductive rights, and Guatemala has its own national laws that cover only sexual and reproductive health policies, without addressing reproductive rights, which could be interpreted as the right to abortion or abortive practices and which contravene our country’s national legislation.

**Mr. Ghadirkhomi** (Islamic Republic of Iran): My delegation joined the consensus on the adoption of resolution 77/300. Meanwhile, we would express our concern regarding the lack of transparency in the process of informal consultations on the draft resolution.

We note that many technical views were disregarded in the latest version; in spite of disagreements among Member States on many paragraphs, the text was presented to the General Assembly. We also note that the progress achieved during the informals has been

ignored, and the revision presented lacks an adequate balance across the various parts of the text. That has actually rendered the present resolution inaccurate in its account and description of issues in the field of mental health.

The negative impact of unilateral coercive measures on the mental health and well-being of people is, unfortunately, a reality. Such unlawful measures, which are a violation of the fundamental principles of international law and the principles set out in the Charter of the United Nations, impede the full achievement of economic and social development by the population of the affected countries, in particular children and women; hinder their well-being; and impair the full enjoyment of their human rights, including the right of everyone to a standard of living adequate for his or her health, well-being and medical care.

Moreover, those illegal measures hinder access to medicine, including specialized medical treatment, and also negatively affect the ability to realize commitments in the field of physical and mental health.

In that regard, we express our serious disappointment at the fact that despite the strong support by many Member States for the inclusion of proposed language with direct reference to national coercive measures, that specific language is not included in the resolution.

Referring to the other observations, the Islamic Republic of Iran disassociates itself from the eighth preambular paragraph of the present resolution, entitled “Mental health and psychosocial support”, in particular with respect to its references to the updated World Health Organization comprehensive mental health action plan 2013–2030. We would like to clarify that consideration and implementation of the provisions of the resolution by the Islamic Republic of Iran are subject to and contingent upon its national laws, regulations, policies and priorities as well as its religious, cultural and social specificities and values

**Mr. Poveda Brito** (Bolivarian Republic of Venezuela) (*spoke in Spanish*): The Bolivarian Republic of Venezuela is delivering this statement as an explanation of position on resolution 77/300, entitled “Mental health and psychosocial support”, facilitated by the delegation of Mexico and submitted jointly by a group of countries.

First, Venezuela thanks the delegation of Mexico for facilitating that process and for its delegation’s

readiness to promote dialogue and discussion on complex issues and to endeavour to find compromise solutions among the various delegations.

We believe that even though we have not managed to reach such compromise solutions on all issues, it is the goal of all negotiation processes on United Nations resolutions to ensure that all parties are heard in order to produce a text that reflects the positions of all Member States and that, to the extent possible, reflects their specific priorities and concerns.

Discussions on mental health and psychosocial support have been underscored in various United Nations forums in the past, and for the first time here we have a resolution that is directly linked to the issue. That is a historic milestone that must continue to be developed in a cross-cutting manner in all of the Organization’s various bodies.

We are speaking here of an inherent health problem on which social stigmatization, disinformation and the need for greater social focus have set the tone. That is why consistent and impactful action is required in order to make headway in terms of effective multilateral cooperation, in which the World Health Organization is called upon to play an active role to support States in drafting and implementing comprehensive policies and in research on the subject that is tailored to their respective national and local realities.

The impact of the coronavirus disease emergency was particularly strong on mental health, because the human, economic and social impact has had major repercussions on all populations, particularly the potentially most vulnerable. That is also a priority issue for the United Nations.

During the negotiations, many Member States raised the issue of including in the text the impact of unilateral coercive measures on States’ capacity to respond effectively through national mental health programmes, including addressing the consequences of the pandemic, and noted that acts against economies and societies represent such actions in the light of international law, as they have an impact on society as a whole and have repercussions on mental and physical health and human development.

The 2030 Agenda for Sustainable Development includes provisions in that regard, in paragraph 30 of resolution 70/1, as minimum agreed language on the need to refrain from the use of such measures, which

are contrary to the Charter of the United Nations and international law and which impede economic and social development, particularly in developing countries.

Venezuela suggested that that wording be included as a minimum, but even that language was not acceptable to those countries that promoted the resolution. That reflects their lack of respect for the 2030 Agenda and is inconsistent with the spirit of the United Nations, particularly at a time when we are so far from achieving the Sustainable Development Goals (SDGs) and even preparing to hold an SDG summit that will address ways of accelerating the implementation of the Agenda and the achievement of the SDGs in the short amount of time we have left to do so.

Therefore, Venezuela believes that no negotiation or document on health that does not include that reference can be considered comprehensive or complete, because one of the areas that been most impacted by such illegal acts is, in fact, the human right to health, as they impede and make more difficult and expensive people's access to medicines, medical treatments, new technologies, vaccines, supply chains in general and education, among other critical means, and prevent States from acting to ensure that that fundamental right is guaranteed.

Venezuela hopes that the proposals based on the 2030 Agenda will be included in the political declarations on health that are being prepared for the seventy-eighth session of the General Assembly, and that there will finally be agreement on their inclusion in subsequent resolutions on the important issue of mental health. We are prepared to contribute constructively to that end.

**Mr. Siringoringo** (Indonesia): Indonesia would like to join others in extending our appreciation to the delegation of Mexico for its leadership in facilitating this first-ever General Assembly resolution on mental health (resolution 77/300).

We welcome the importance of the resolution. Having said that, we would like to register our disassociation from the seventeenth preambular paragraph and explain our position on operative paragraph 17, as follows.

First, the issue of mental health cannot be separated from the local and national context and the value system of a society. It is essential to ensure that no one-size-fits-all approach is taken; instead, every approach has to be tailored to address the needs of the people on the

ground and must be respectful of their local context. On that note, it is our understanding that the clauses contained in this resolution must all be in line with, not conflictual with, local and national settings.

Secondly, the issue of health, including mental health, is closely related to economic and development issues. It is therefore important to address the lopsided capacity of developing countries in building their health systems and in tackling all non-communicable diseases, including on mental health, as we move forward on this matter.

Thirdly, we register our reservation on the use of certain language that has no agreed definition or clear reference. In our view, the use of such language should be avoided so as to prevent any confusion that might hinder the effective implementation of the resolution on the ground.

In the case of technical terminology, Indonesia believes that the resolution should take into account the advice of the World Health Organization (WHO) technical terminology on the issue of mental health. That is very important to ensure consistency, particularly since the resolution acknowledges and gives strong support to the role of WHO as the leading and coordinating authority on international health.

On that note, Indonesia expresses its reservation on the terminology used in the resolution and will keep the term as per the WHO reference on mental health conditions as a generic term that encompasses mental disorders, psychosocial disabilities and other mental states associated with significant distress, impairment in functioning or risk of self-harm. That understanding will apply to all paragraphs that contain the phrase "mental-health conditions and psychosocial disability".

**Mr. Mohamed** (Egypt) (*spoke in Arabic*): Egypt's delegation welcomes the initiative of the Mexican delegation to include the issue of mental health and psychosocial support in the discussions of the General Assembly. This is an opportunity for us to emphasize the international commitment to strengthen efforts to achieve Sustainable Development Goal (SDG) 3 by 2030, taking into consideration the close and complementary relationship between promoting health and sustainable development.

Egypt continues to be committed to providing the best mental and physical health care to all. The Egyptian State works unfailingly to develop our national health-

care system to enable each and every person to receive the best health care possible. We are expanding medical coverage to our citizens in order to build a health-care system that is integral and provides universal health care for everyone while respecting higher standards.

The State of Egypt has implemented a number of initiatives to improve mental and psychosocial health care for its citizens. We are focusing on research and on expanding general psychiatric care with child and adolescent psychiatry. We have also improved our services to treat drug addiction.

As regards resolution 77/300, on mental health and psychosocial support, adopted today by the General Assembly, Egypt's delegation would like to make the following comments.

First, we would like to underscore the fact that despite lengthy negotiations that lasted more than 50 hours on the text of draft resolution A/77/L.77, we were able to negotiate on only 17 paragraphs out of a total of 55. There was a need to continue consultations among delegations regarding the whole text, particularly since it is the first resolution of its kind introduced in the General Assembly.

Furthermore, numerous amendments were made to the text after each round of negotiations, including the very title of the resolution, which was changed after the end of the negotiations and which, unfortunately, no longer contains any reference to sustainable development.

Secondly, Egypt's delegation would like to express our deep regret vis-à-vis the attempts made by some delegations during the negotiations to weaken the development aspects of the text, creating unrealistic competition between the development texts and those related to human rights based on a false understanding that the various national contexts of each of our countries are the same and not different.

*(spoke in English)*

There was a deliberate attempt to undermine the development language and to not take into account the fact that there are different contexts in each country.

*(spoke in Arabic)*

Egypt's delegation believes that if the international community and the General Assembly do not acknowledge that promoting health systems, particularly in developing countries, requires increased

international support and solidarity, the achievement of Sustainable Development Goal 3 will be undermined. For its part, Egypt remains committed to engaging in constructive international cooperation in that regard.

Thirdly, in the absence of comprehensive negotiations leading to consensus among all delegations on the contents of the resolution, Egypt's delegation stresses that its goal in joining the consensus was only to support international efforts to realize Sustainable Development Goal 3. Egypt's delegation would like to note that its interpretation of the text is based on our commitments in that regard and on Egyptian national legislation, as well as the national context. We would stress also the primary role played by national Governments. It is their responsibility to decide on ways to provide universal health-care coverage according to the national contexts and priorities of each country and based on the principle of national ownership, as noted in operative paragraph 3 of the resolution.

**Ms. Ochoa Espinales** (Nicaragua) *(spoke in Spanish)*: Our delegation would like to take the floor to explain our position following the adoption of resolution 77/300, entitled "Mental health and psychosocial support".

Our delegation would like to stress the lack of goodwill in the negotiation process, as the position of the 28 countries that stated repeatedly, throughout the more than two months of negotiations, that language must be included in the resolution on the impact of illegal unilateral coercive measures was ignored. That includes language agreed in the 2030 Agenda for Sustainable Development.

This document is the first resolution of the General Assembly devoted to the issue of mental health and psychosocial support, with an approach focused on the right to access appropriate services in that area, and it also underscores the fact that mental health is an essential component of universal health coverage. It is therefore unacceptable that no reasonable explanation was provided for excluding reference to the negative impact of unilateral coercive measures, which are clearly an obstacle to achieving universal health coverage in all its aspects.

*Mr. Wallace (Jamaica), Vice-President, took the Chair.*

That is unjustifiable, in particular given that it is undeniable and universally known that developing

countries, which, in addition to facing greater challenges in that area, need access to sources of financing and capacity-building in order to provide better, comprehensive medical care in general and specialized care to their citizens.

We cannot disregard, turn away from or even less leave behind the more than 2 billion people and more than 40 countries that every day suffer from the impact of the application of illegal terrorist unilateral coercive measures, which hinder access to practicable loans and projects in international financial institutions.

For developing countries that are implementing the 2030 Agenda for Sustainable Development, the eradication of poverty and the achievement of universal health coverage are of special importance. It is also a reality that imperialist and neocolonialist countries are daily stepping up those harmful unilateral coercive measures and applying them to even more countries. Those acts of aggression and sanctions are incompatible with and contravene the Charter of the United Nations and the joint efforts of the United Nations to implement the 2030 Agenda and should therefore be eliminated.

**Mr. Komarkov** (Russian Federation) (*spoke in Russian*): At the outset, we would like to thank Mexico for this useful initiative. For the first time in the history of the General Assembly, we have adopted a resolution on mental health protection (resolution 77/300).

Today there is a need to pay particular attention to measures to protect people's mental health, as the coronavirus disease pandemic led to a crisis in that area. According to World Health Organization data, in the first year of the pandemic the number of people with such disorders grew by 25 per cent. At the same time, mental-health services were severely limited because the entire health-care system was channelled towards combating the coronavirus infection.

In addressing mental illness, the Russian Federation pays particular attention to prevention. Psychiatric care is guaranteed and is provided free and paid for by the State. In that context, our delegation was focused on achieving consensus on this action-oriented document and took a constructive approach. Unfortunately, ultimately the scales were tipped towards integrating human rights and gender aspects into this specific sector of health care.

At the same time, a number of very significant issues were left out. The proposal by 28 delegations to

include in the text a paragraph on the negative impact of illegal unilateral coercive measures on the mental health of the people of our planet was left out. We express our disquiet at the fact that due attention was not paid to the issue of universal access to good-quality psychiatric care. That could complicate not only the implementation of the provisions of the resolution at the global level but also the application thereof in national policies and the use of its text in multilateral processes.

**Mrs. Mozgovaya** (Belarus) (*spoke in Russian*): Belarus would like to thank the delegation of Mexico for introducing resolution 77/300. We understand the importance and pertinence of this issue, so we joined consensus.

Unfortunately, we cannot but note that the paragraph on the impact of unilateral coercive measures on the health-care sector, which was broadly supported by delegations at each stage of the negotiation process, was not reflected in the final draft of the document. Clearly, in the absence of the relevant provision, the resolution does not reflect the contemporary realities encountered by people living in countries that are under sanctions. Unilateral coercive measures have an impact on the provision of medications and medical equipment; they complicate international payments and logistics; and they present a threat to the supply of necessary medicines for those most in need.

Belarus is firmly committed to ensuring comprehensive health-care coverage, inter alia in the area of mental health and psychosocial support. To that end, Belarus takes the necessary legal, organizational and economic measures at the State level.

We recognize the leading and coordinating role of the World Health Organization in tackling global health-care issues. At the same time, Belarus reaffirms the principle of national ownership and the key role of national Governments in defining their own path to ensuring universal health-care coverage, given the national context and national priorities.

**Mrs. Asaju** (Nigeria): My delegation would like to thank Mexico and the core group for facilitating resolution 77/300. We equally thank the World Health Organization for its technical support.

The resolution is extremely important to my delegation with regard to ensuring the provision of adequate, accessible, affordable and quality treatment and care to persons with mental disorders and

psychosocial disabilities. My delegation supported the adoption of the resolution by consensus. We welcome the amendment with regard to the inclusion of some non-consensual language in the nineteenth preambular paragraph (bis), with reference to sexual and reproductive health and reproductive rights, which is open to misinterpretation. Nigeria urges that we retain language that is agreed to through negotiation. We are equally surprised that the only language concerning unilateral coercive measures that was proposed is not included in the final version, despite the overwhelming support of 28 delegations for that proposal and several bilateral consultations. That shows that some delegations were given preferential treatment over others. It is imperative to state that we understand the use of the term “gender” as referring to men and women. We made a proposal to replace the term, together with other delegations, but it was rejected.

We would like to reiterate that the inclusion of some non-consensual language in the resolution that is open to misinterpretation will be interpreted based on our national priorities and laws.

**The Acting President:** We have heard the last speaker in explanation of position after the adoption.

The General Assembly has thus concluded this stage of its consideration of agenda item 128.

### **Agenda item 132 (continued)**

#### **The responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity**

##### **Report of the Secretary-General (A/77/910)**

**Mr. Musayev** (Azerbaijan): At the outset, I would like to thank the President for convening this meeting and the Secretary-General for his report on this topic (A/77/910).

The report examines the relationship between the challenges to sustainable development and the risks, causes and drivers of atrocity crimes. While the world is becoming more divided, uncompromising and intolerant, people throughout the planet continue to suffer from conflicts, forced displacement, terrorism, separatism, violent extremism, inequality, insecurity, poverty and climate change. Hate propaganda, disinformation and policies aimed at building monoethnic societies and advocating the ideas of ethnic incompatibility, dehumanization and racial

superiority continue to fuel identity-based intolerance, destabilize societies, undermine peaceful coexistence and significantly increase the risk of atrocity crimes. The lack of accountability for serious violations of international law undermines the rule of law and is also among the conditions conducive to the protraction, expansion or resurgence of conflicts and violence. As the Secretary-General emphasizes in his report, the propensity for a State or other actor to carry out large-scale offences does not occur spontaneously, but arises from pre-existing patterns of systematic violations and impunity.

It is critical that the United Nations continue promoting a culture of tolerance and respect, mobilizing the world against racism and confronting hatred of all kinds and incitement to discrimination and violence. Furthermore, providing support to States affected by conflict and engaged in post-conflict peacebuilding, reconstruction, rehabilitation and reintegration and taking measures to secure their borders from illegal cross-border activities that could be used to commit atrocities must remain a critical commitment of the entire United Nations system.

The topic under discussion is of particular importance for my country and for our region as a whole. Azerbaijan’s experience of almost 30 years of occupation of its sovereign territories by neighbouring Armenia —in blatant violation of the Charter of the United Nations, international law and the relevant Security Council resolutions — is an illustration and reminder of the need to do much more to prevent and resolve conflicts, ensure respect for the sovereignty and territorial integrity of States, fight against impunity for serious crimes, confront hatred and build and sustain peace. The consequences of the aggression against my country, at the core of which was a long-standing ultranationalist ideology, speak for themselves. Thousands of Azerbaijani civilians were executed in acts of mass murder, while many captives were subjected to severe torture. More than 200,000 Azerbaijanis were expelled from and are still prevented from returning to their historical homeland in Armenia. In addition, all occupied territories were ethnically cleansed of more than 700,000 Azerbaijanis. Hundreds of cities, towns and villages in my country were razed to the ground, and Azerbaijani cultural heritage was looted, vandalized, desecrated and destroyed both throughout Armenia and in the formerly occupied territories.

Following the long-awaited end of the war in the fall of 2020, together with large-scale restoration and reconstruction works in the liberated territories to ensure the safe return of the displaced population and a high standard of living, Azerbaijan initiated the normalization of inter-State relations in good faith, based on mutual recognition and respect for each other's sovereignty and territorial integrity within their internationally recognized borders.

However, despite the ongoing dialogue and progress towards such normalization, serious challenges remain. Armenia refuses to completely withdraw the remnants of its armed forces from the territory of Azerbaijan, regularly violates the ceasefire, maintains its territorial claims, continues hate propaganda and defies the order of the International Court of Justice of 7 December 2021 by allowing racist paramilitary organizations to operate on its territory, raise funds, openly spread hate speech and recruit and train civilians, including children, for war and the commission of mass violence. Furthermore, Armenia refuses to disclose the location of the hundreds of thousands of landmines that it laid on the territory of Azerbaijan. As a result, in the post-conflict period, since November 2020, 57 citizens of Azerbaijan have been killed and 247 injured by mine explosions. Armenia must share accurate and comprehensive information about all minefields and cease and desist from mine terrorism. In addition, more international support to further develop and strengthen national mine action efforts in Azerbaijan is critically important to save lives and ensure the safe return of internally displaced persons to their homes.

In addition, with the exception of a few individuals brought to justice by Azerbaijan for war crimes and terrorist and mercenary activities, most of the perpetrators continue to enjoy impunity, as Armenia is unwilling to prosecute and punish them and to provide redress for its breaches.

The fate of the nearly 4,000 citizens of Azerbaijan who went missing in connection with the conflict, including 719 civilians, remains unknown. Although several mass graves have been discovered in the liberated territories, shedding light on the wilful killing of Azerbaijani civilians and other persons protected under international humanitarian law, Armenia refrains from clarifying the whereabouts of the missing persons.

We categorically reject the statement made by the representative of Armenia at the earlier meeting held on

this topic (see A/77/PV.83). I have to remind the General Assembly that the so-called Nagorno-Karabakh region to which Armenia stubbornly refers has long ceased to exist as an administrative and territorial unit. That area is an integral part of Azerbaijan that was under Armenia's unlawful occupation for nearly three decades. The legal name of that area is the Karabakh economic region. Armenia must memorize that name and never forget it.

It is ironic that mono-ethnic Armenia, whose central message continues to be that Azerbaijanis and Armenians are fundamentally incompatible, and where international terrorists, war criminals and racist ideologues are national heroes, talks profusely about human rights and minorities in other countries. Armenia's allegations about the so-called blockade of the Lachin-Khankandi road are false and provocative. Azerbaijan has never created impediments to the residents' freedom of movement on the road or to the road's use for humanitarian purposes. That is supported by abundant documented evidence that exposes Armenia's fabrications.

Armenia has neither the legal, political or moral grounds to make any statements or comments concerning the sovereign territory of Azerbaijan or matters falling within my country's exclusive rights, competence and responsibilities. Instead, Armenia must take serious care of its own international obligations and strictly comply with the Charter of the United Nations and international law.

Azerbaijan is determined to continue its efforts towards advancing post-conflict peacebuilding, reconciliation, reintegration, peaceful coexistence and development in the region, as well as to ensure justice and invest in national capabilities for early detection, early warning, prevention and response to any threats to the safety and well-being of its people and the State's sovereignty and territorial integrity.

**Mr. Khaddour** (Syrian Arab Republic) (*spoke in Arabic*): My country's delegation associates itself with the statement delivered by the representative of the Bolivarian Republic of Venezuela on behalf of the Group of Friends of the Defence of the Charter of the United Nations (see A/77/PV.83). It also takes note of the report of the Secretary-General contained in document A/77/910 and would like to make the following observations:

First, my country's delegation reaffirms that the concept of the responsibility to protect in its broad or expanded sense should not be viewed under any circumstances as anything but a general theoretical framework, centred mainly on the existence of a moral and political commitment to applying established and existing legal rules at the international level. Therefore, that concept does not rise to the level of international legal rules, be they conventions or customary law, and does not add new rights or legal obligations to the existing rights and obligations recognized under international law with regard to crimes of genocide, crimes against humanity, war crimes and ethnic cleansing.

Secondly, the concept of the responsibility to protect is nothing more than a general concept of a political nature and does not represent an exception to the principle of State sovereignty, the principle of prohibiting the use of force, or the principle of prohibiting interference in the internal affairs of States, which are firmly established in the Charter of the United Nations. The concept does not grant new powers to the Security Council. With or without it, the Council can use its powers as required by the provisions of the Charter for the purpose of protecting civilian populations and confronting threats to international peace and security, including resort to military force.

Moreover, the responsibility for protecting people in a given country from crimes of genocide, war crimes, ethnic cleansing and crimes against humanity rests primarily with the concerned country and within the framework of exercising its sovereignty. The concept of the responsibility to protect is mainly based on the prevention of mass atrocities and should not be seen as synonymous with the concept of military intervention. Even if it appears that the use of force is necessary for the implementation of the responsibility to protect, it is imperative to take into account the principles established in international law that govern this issue, the most prominent of which is the approval of the Security Council.

Thirdly, military interventions, whatever their driving goals and justifications may be, lead in most cases to highly dangerous results and repercussions that may exceed by far the gravity of the situations that led to those interventions, as they may prolong the crises that are supposedly being addressed. Interventions may result in the emergence of new conflicts, exposing civilians to other massacres in addition to the massacres that the interventions are aimed at

stopping or preventing. In addition, such interventions often result in transforming the State that is subject to intervention into a failed State, dominated by bloody conflicts that threaten civil peace and stability in the concerned region and in the world at large, and may end in dividing a single State into ethnic or religious States that are more easily controlled.

There is no doubt that the concept of the responsibility to protect is suffering today more than ever before from a crisis of confidence at the international level that cannot be ignored, following the deviation of the 2011 military intervention in Libya from its stated goal, which was to protect civilians, to the goal of overthrowing the State regime. That definitely had nothing to do with the concept of the responsibility to protect. As a result, international support diminished for that relatively recent concept, which has long been misused, and States became more alert to the importance of not tolerating any similar concepts aimed at promoting interference in the internal affairs of other States, including under the pretext of the responsibility to protect.

Fourthly, protecting civilians and saving humankind from the scourge of international wars and atrocities, which are objectives that my country shares with all Member States, requires us to strictly respect the provisions of international law and the principles and purposes of the United Nations Charter, foremost among which are the principles of sovereignty, non-interference in the internal affairs of States, resort to peaceful means for resolving disputes, the establishment of international relations in good faith, and the development of international cooperation and friendly relations among States. Other factors to be taken into account include promoting opportunities for sustainable development, enhancing cooperation in the fields of education and health, making efforts to eradicate poverty, marginalization and discrimination, and the immediate lifting of unilateral, coercive and inhumane measures. Those factors contribute to preventing conflicts and violations while fostering a culture of peace and tolerance.

However, politicization and selectivity in relation to the issue of the responsibility to protect open the door to foreign interference, regime change and the imposition of the agendas and interests of certain countries at the expense of other countries and peoples. Attempts by certain States members of the Security Council to impose upon it their selective policies and double

standard will further undermine the role assigned to the Council under the Charter.

In conclusion, many Governments of States that seek to impose the concept of the responsibility to protect on the approach adopted by the United Nations have ignored for decades the practices of the Israeli occupation of our people in the Golan and occupied Palestine, including settlement policies, war crimes and torturing civilians, which are explicit and grave violations of international legitimacy and Security Council resolutions. Those Governments also ignored the recruiting, financing and facilitated transfer of tens of thousands of foreign terrorist fighters who joined the terrorist organizations that my country, Syria, has been fighting, given its national responsibility to protect its citizens. Those are the same Governments that hinder a political solution to the crisis in my country. At the same time, those same countries impose unjust blockade and unilateral coercive measures that deprive Syrian citizens of essential basic living and health services. That is, regrettably, the pinnacle of political and moral hypocrisy.

**Mr. Shrier** (United States of America): I would like to thank Special Adviser on the Responsibility to Protect Okoth-Obbo and for presenting the Secretary-General's report (A/77/910) (see A/77/PV.83).

It has been 18 years since the General Assembly adopted its World Summit outcome document (resolution 60/1), which proclaimed that each State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity, and two years since the General Assembly decided to include that item in its annual agenda. Despite those efforts, we continue to see the perpetration of atrocities in numerous situations around the world. We appreciate the Secretary-General's report's focus on the risks and drivers of atrocity crimes and on the importance of prevention.

As the Secretary-General has urged, we, the States Members of the United Nations, must do more to address the risks that can create conditions that lead to atrocities. It is vital that we continue to address food insecurity and poverty and, more generally, accelerate progress towards achieving the Sustainable Development Goals in order to help lower the risk of atrocities occurring. We must focus our attention and efforts on addressing atrocities that are taking place across the world. Far too often, critical infrastructure is targeted by armed

actors, with civilians forced to leave homes to find electricity, running water and food supplies.

Civilians are facing the brunt of the destruction of the Kakhovka dam, with global repercussions, due to flooding. The destruction of the dam also endangers operations at the Zaporizhzhya nuclear power plant and has damaged agricultural fields and facilities that will further set back food production on which much of the world depends. We have also seen Russia use Iranian-supplied kamikaze drones to attack cities throughout Ukraine, killing hundreds and destroying schools, hospitals and other civilian infrastructure. That is in addition to the Russian missiles that have targeted civilians and civilian infrastructure since the beginning of the full-scale invasion in February 2022.

In April, Burma's military conducted an air strike on a village in Kanbalu township that killed more than 160 people, including dozens of children. The regime's violence and oppression have perpetuated a humanitarian crisis in Burma, with reports indicating more than 3,600 killed, 19,000 detained and more than 1.5 million displaced since the coup d'état. And let us not forget the genocide and crimes against humanity perpetrated against the Rohingya in 2016 and 2017.

People's Republic of China authorities continue to commit genocide and crimes against humanity against predominantly Muslim Uyghurs and members of other ethnic and religious minority groups in Xinjiang. In response to the situation in Xinjiang, the Committee on the Elimination of Racial Discrimination, acting under its early-warning system and urgent action procedure, referred the matter to the attention of the Special Adviser of the Secretary-General on the Responsibility to Protect in November 2022.

The United States condemns in the strongest terms the ongoing human rights violations and abuses and horrific violence in the Sudan, especially reports of widespread sexual violence and killings, based on ethnicity in West Darfur by the Rapid Support Forces (RSF) and allied militias. The atrocities occurring in West Darfur and other areas are an ominous reminder of the horrific events that led the United States to determine in 2004 that genocide had been committed in Darfur. We specifically condemn the killing of West Darfur Governor Khamis Abbakar on 14 June after he accused the RSF and other forces of perpetrating genocide. While the atrocities taking place in Darfur are primarily attributable to the RSF and affiliated

militia, both sides have been responsible for abuses. In Darfur, the Sudanese Armed Forces have failed to protect civilians and have reportedly stoked conflict by encouraging the mobilization of tribes.

Security Council resolution 2573 (2021), on the protection of objects indispensable to the survival of the civilian population, condemned acts of violence in conflict areas, whether deliberate or not, that threaten or harm civilian populations and essential infrastructure. Under that resolution, those acts are flagrant violations of international humanitarian law. All parties to armed conflict must immediately end such practices. The resolution further demanded that all parties comply fully with their obligations under international humanitarian law and urged all parties to protect civilian infrastructure. All States and armed groups must comply with their obligations under international humanitarian law and should implement good practices to mitigate and respond to harm to civilians and civilian objects.

In an effort to continually improve its policies and practices relating to the protection of civilians in armed conflict, the United States released the Civilian Harm Mitigation and Response Action Plan. The Plan includes doctrine, guidance and procedures to mitigate and respond to civilian harm in United States operations and multinational operations, led by the United States. The United States remains committed to upholding its obligations regarding the protection of civilians and to promoting accountability for those who are responsible for atrocities.

**Mr. Kayinamura** (Rwanda): Allow me, first of all, to thank the Special Adviser of the Secretary-General on the Responsibility to Protect, Mr. George Okoth-Obbo, for his briefing (see A/77/PV.83). I also thank those representatives of Member States who delivered statements before us.

We align ourselves with the statement delivered on behalf of the Group of Friends of the Responsibility to Protect (see A/77/PV.83).

The responsibility to protect (R2P) serves as a powerful reminder of our shared duty towards the preservation of humankind. Our debate today on R2P should extend beyond mere discussion and be aimed at encouraging proactive measures to prevent mass atrocity crimes. In that context, it is pertinent to note that, just last Monday, we marked the International Day for Countering Hate Speech. That occasion

underscored the severe ramifications of unchecked hate speech and its potential to foster the seeds of mass atrocities. Hate speech today continues to proliferate in our societies, violence escalates and innocent civilians are increasingly at risk on a daily basis. The onus is on all of us to protect the marginalized and to counter hate speech.

We must emphasize the remarkable work done by the Office on Genocide Prevention and the Responsibility to Protect and by the Special Adviser. Their energy is indispensable in countering those destructive narratives. Rwanda has reiterated on several occasions the need to bolster support for the Office and the Special Adviser, whose dedicated efforts to prevent mass atrocities deserve recognition from and reinforcement by all of us.

We extend our gratitude to the Secretary-General for his comprehensive 2023 report on R2P (A/77/910). The correlations drawn between mass atrocity crimes and the broader theme of development underscore the need for us to focus our attention on the root causes of conflict. By understanding those triggers, we can respond more effectively and pre-emptively to mitigate future atrocities. In that regard, Rwanda urges the Secretary-General to include in future reports an examination of progress made concerning previous recommendations, along with an analysis of emerging trends in genocide, war crimes, crimes against humanity and ethnic cleansing.

The R2P doctrine, as has been mentioned here before, rests on three pillars: the responsibility of the State, international assistance and capacity-building, and timely and decisive responses. Unfortunately, today we are witnessing those pillars falter in real time.

In the Democratic Republic of the Congo, we face a disheartening situation. An escalating trend of hate speech and anti-Rwandaphone sentiment, disseminated through schools and social media platforms, is causing immense harm and deepening divisions among societies. The Special Adviser on the Prevention of Genocide, Ms. Alice Nderitu, and the former High Commissioner for Human Rights, Ms. Michelle Bachelet, issued a statement in that regard, but statements are not enough.

The repercussions of those acts extend far beyond immediate harm inflicted upon individuals and communities — they create a dangerous foundation for large-scale atrocity crimes. Prioritizing governance accountability is of utmost importance. Preventive

actions require assuming responsibility and promoting a zero-tolerance approach to hate speech. We appeal to the international community to come together and demand accountability as a means to prevent atrocity crimes.

The third pillar calls for a timely and decisive response. The current situation, as we have observed, has surpassed the threshold for such a response. For example, a group of Rwandophone women in the Democratic Republic of the Congo were recently rounded up, attacked and falsely accused of spreading HIV among the Congolese people. Such acts of stigmatization, dehumanization and persecution demand the attention of the General Assembly and must be called out.

We find ourselves at a critical juncture. We reiterate our warning of a potential genocide if we do not heed what has been reported. Together, we possess the power and bear the obligation to alter that trajectory. The international community must act now, as dialogue without action amounts to a disservice to those people we must protect. We need a committed and tangible approach to preventing mass atrocity crimes around the world. Let us tread the path of peace, ensuring that the responsibility to protect transforms from a mere doctrine into a tangible reality for all.

In conclusion, we urge all Member States to recognize and support the Office on Genocide Prevention and the Responsibility to Protect in its efforts to stem the tide of violence and protect innocent civilians. We must transform our collective rhetoric into concerted action to ensure lasting peace and security for all people.

**Mr. Sekonyana** (South Africa): I wish to begin by acknowledging the importance of this annual debate and, importantly, the provision of the Secretary-General's annual report on the matter (A/77/910). I thank him for this year's report, entitled "Development and the responsibility to protect: Recognizing and addressing embedded risks and drivers of atrocity crimes". In addition, it is also important to applaud the complementary role provided by the United Nations Office on Genocide Prevention and the Responsibility to Protect and the mandate of the respective Special Advisers on the Prevention of Genocide and on the Responsibility to Protect (R2P).

South Africa agrees with the Secretary-General's assessment that, while many States and the international

community have embraced that fundamental norm, further actions are needed by Member States, the international community and other actors to support sustainable development as a means towards preventing future atrocity crimes. Therefore, it is our duty as States and as the international community to commit to preventing such acts from occurring by establishing methodologies and approaches that enable and increase support for sustainable development. Such development can then be leveraged towards the realization of the cardinal objectives of R2P, as delineated in the Secretary-General's report.

As we are all aware, the notion of the responsibility to protect, as defined in the 2005 World Summit Outcome Document (resolution 60/1), highlights that it is the responsibility of the State to protect its population from atrocity crimes, namely, genocide, war crimes, crimes against humanity and ethnic cleansing. The report presented this year is a further examination of the root causes of those crimes and the importance of sustainable development as a preventative measure. It is important to recognize that extreme poverty and inequality present structural risks and a possible environment for atrocity crimes, especially when compounded with political instability, discrimination and societal shocks.

The report holds that the State remains critical in ensuring that it sustains an environment that averts such crimes through sustainable development approaches and in addressing concerns of discrimination and inequality. The report is equally valuable, inasmuch as it makes a fundamental connection between sustainable development and human rights. We acknowledge the point that inclusive and sustainable development systems strengthen and protect human rights, as they build societies where populations are protected. In that regard, South Africa would further like to highlight the following points.

First, development policies and discrimination serve as a connection between gradual human rights violations and atrocity crimes, and a State or another actor does not spontaneously carry out such heinous actions but rather acts on pre-existing conditions in which human rights are being violated. That is especially true when identity politics are directed to discriminate and isolate a particular group. The report highlights that

“[d]iscriminatory policies that are evident prior to (or part of) genocidal processes include the deprivation of social, cultural, economic, political and civil rights, the exclusion of targeted groups from society and the denial of their basic humanity” (A/77/910, para. 18).

Those rights being deprived are often particular to development and the upliftment of a group or community, and when a specific identity or group is deprived of them, such deprivation should serve as an early warning sign.

Secondly, there is a clear link between the Sustainable Development Goals and the prevention of atrocity crimes; economic development approaches that are sensitive to the responsibility to protect serve as a mechanism that inherently pre-empts discrimination and counters inequality. Addressing and eliminating poverty avert competition over scarce resources and discourages identity-oriented discrimination. South Africa also believes that transparent and accountable governance structures — as determined in Sustainable Development Goal 16 — and the effective management of resources in an economy serve to reduce tensions that can drive instability.

Thirdly, the international community must strengthen the tools provided by the Charter of the United Nations for the pacific settlement of disputes. At the 2005 World Summit, the States Members of the United Nations committed themselves to protecting populations from genocide, war crimes, ethnic cleansing and crimes against humanity. However, since then, conflicts have drastically changed, becoming more complex and multidimensional. Thus, we must find innovative means to address those unprecedented threats and challenges, and achieving the Sustainable Development Goals is a key tool to avoid utilizing more drastic measures of last resort.

Fourthly, the international community has access to a multitude of tools provided by the Charter and decisions by Member States on sustainable development to prevent the deprivation of human rights, conflicts and, ultimately, atrocity crimes. That development approach should incorporate a sensitivity to atrocity crimes and to the potential for such crimes to occur if the sustainable development and financing is not directed equitably within a culture of human rights and accountable governance. In that regard, South Africa was pleased to note that the report of the Secretary-

General acknowledges the importance of global cooperation among all development actors, including international financial institutions and the United Nations development system, to encourage a human rights-based approach as a key pillar for sustainable development and the achievement of the 2030 Agenda for Sustainable Development.

We should also note that the report substantively discusses the importance of preventative measures during periods of stability. To that end, South Africa concurs with the report’s specific acknowledgement that security sector reform, inclusive of effective disarmament and the regulation of the flow of weapons, is both a preventive measure and a long-term development goal, with an acknowledgement of the intersection between security and development.

States should be encouraged to build societies that promote socioeconomic equality, that value difference and diversity and that have systems in place to identify and respond to early warnings. Therefore, R2P is very clearly aligned with sustainable development. Furthermore, South Africa will continue to support the primacy of prevention through a strong development agenda that is centred around human rights.

Lastly, I wish to take this opportunity to reiterate that South Africa remains committed to instruments that promote and implement R2P and further acknowledges the details contained in the Secretary-General’s report. In particular, South Africa appreciates the inclusive nature of the report in identifying several concrete actions that can be undertaken to not only prevent such crimes but also to invest in national capacities for early detection and prevention to respond to atrocity crimes.

South Africa, as a member of the Global Network of R2P Focal Points, the Peacebuilding Commission and the Group of Friends on Security Sector Reform, will continue to use those platforms to promote and prioritize negotiations, the use of good offices, mediation, arbitration and other peaceful means to address any challenges faced by countries affected by conflict.

In conclusion, we must acknowledge that this plenary meeting is more critical today than ever, as we strive together to protect people from genocide, war crimes, ethnic cleansing and crimes against humanity. We are deeply appreciative of the link drawn in this year’s report between development and atrocity crimes and the understanding that inequality and the

consequential competition over resources serve as a driver to increase discrimination in a society.

The application of the principles of R2P should not be selective and should apply universally to all States — as is expected of all international norms and legal frameworks. This is reinforced by frank and open debates that are critical to recognizing our current shortcomings, such that we are able to advance as an international community.

**Mr. Moriko** (Côte d'Ivoire) (*spoke in French*): I thank the President for convening this meeting and commend the Secretary-General for his enlightening report on the link between the responsibility to protect and development (A/77/910).

There can be no doubt that poverty and the commission of mass atrocities are linked. The responsibility to protect, through its deterrent effect alone, helps to promote peace and stability, which are prerequisites for development of any kind. At the same time, as the Secretary-General's report rightly underscores, the international community and States have the opportunity to prevent conflicts and mass atrocities associated with them by eliminating poverty, unemployment and social inequalities that fuel the drivers of violence, including xenophobia, hate speech and intolerance.

At a time when inequality is on the rise and half of the world's wealth remains concentrated in the hands of a mere 1 per cent of the world's population, we cannot say that we are on the right track, unless a reform of the international financial architecture is undertaken, as proposed by the Secretary-General in *Our Common Agenda* (A/75/982), to provide countries with more favourable investment opportunities to reduce unemployment and poverty.

In joining the Group of Friends of the Responsibility to Protect in 2012, Côte d'Ivoire wished to reiterate its allegiance to the principle as a key mechanism for ending mass atrocities. However, the events of recent years have reduced the United Nations to a nearly passive witness to armed conflicts and constant insecurity, with actors showing ever-diminishing concern for humanitarian law and human life, forcibly displacing more than 100 million people to date.

That state of affairs reinforces our conviction that it is necessary to reform the Security Council, the main guarantor of international peace and stability, in

order to make it more representative. That will entail improving its working methods, including by holding briefings to the Council on situations that could lead to atrocity crimes; adopting the Code of Conduct of the Accountability, Coherence and Transparency group, which calls for the prohibition of the veto in the event of mass atrocities; and supporting the Franco-Mexican initiative on limiting the veto.

In an interconnected world, where the effects of even the most localized crises affect us all, we need to look for solutions to prevent the principle of sovereignty being used as a pretext for impunity for the perpetrators of mass atrocities, including those who use hunger and rape as weapons of war or deliberately target civilian infrastructure.

Under these conditions, while leaving States with the primary responsibility to protect, the international community should provide itself with the legal, judicial and military means, including by increasing the budget for peacekeeping operations, to put an end to atrocity crimes, prosecute the perpetrators and compensate the victims.

My country remains convinced that conflict prevention is the best way to implement the responsibility to protect. To that end, the United Nations must rely on early warning mechanisms at the regional, subregional and national levels, as well as on civil society, while ensuring that they receive the necessary financial and technical assistance.

For its part, my country adopted legislative and institutional measures and set up monitoring and awareness-raising bodies to counter the risks of mass crimes. Those include the High Authority for Audiovisual Communication, which seeks to prevent hate speech in the media and on social networks; the National Council for Human Rights and the Observatory of Solidarity and Social Cohesion, which raise awareness of hate speech; and the Platform to Combat Cybercrime, which tracks down and punishes the perpetrators of hate speech. Furthermore, aware that the prevention of conflicts and atrocities requires combating poverty and social inequality, my country integrated social development into its national development plan, focusing on young people, with an investment plan covering the period 2021 to 2025 for their professional integration and a target of creating 8 million jobs by 2030.

I would like to conclude by reiterating my country's support for the Special Adviser on the Prevention of Genocide and the Responsibility to Protect and by encouraging him to continue to provide information and share analyses on situations that could lead to conflicts and mass atrocity crimes.

**Mr. Chatrnúch** (Slovakia): At the outset, I would like to thank you, Mr. President, for your introductory remarks and express our continued support for the Office of the Special Adviser of the Secretary-General on the Responsibility to Protect. Slovakia aligns itself with the statement delivered by the observer of the European Union and the statement made on behalf of the Group of Friends of the Responsibility to Protect.

I will add a few remarks from my national perspective.

Slovakia welcomes the fourteenth report of the Secretary-General (A/77/910), focused this time on the crucial nexus between development and the responsibility to protect. However, like other speakers, we would like to encourage the Secretary-General to include, in his future reports, assessments of the implementation of recommendations of previous reports, as well as country-specific analyses. For this year's debate, allow me to focus briefly on three points.

First, on the 2030 Agenda for Sustainable Development, poverty, long-standing institutionalized discrimination, poor education, economic and gender inequalities and social exclusion, as well as corruption and lack of good governance, are all important risk factors of atrocity crimes. Addressing these factors need to be at the heart of our policies for the prevention of atrocities. The 2030 Agenda for Sustainable Development provides a framework for global cooperation to achieve a better and more sustainable future and can significantly contribute to atrocity-prevention efforts. However, as outlined in the Secretary-General's report, only about 12 per cent of Sustainable Development Goal (SDG) targets are on track to be met by 2030. The upcoming SDG Summit and the later Summit of the Future are great opportunities to not redouble, but triple our efforts and commitments towards the attainment of the SDGs.

Secondly, prevention is the most important part of the responsibility to protect populations from atrocity crimes. In addition to my first point, I would like to emphasize the importance of early-warning systems in the prevention of atrocity crimes, both at a national and international level. In order to facilitate the prevention

of atrocity crimes, early-warning information must feed into processes that will enable an adequate response. In the absence of a response on the local or national level, the Security Council must be able to take action if the situation poses a threat to international peace and security. In that context, we recall the code of conduct of the Accountability, Coherence and Transparency group and the French-Mexican initiative on the use of veto in cases of mass atrocities.

Thirdly, on accountability, if efforts to prevent atrocities are not successful, perpetrators have to be brought to justice in order to prevent the recurrence of atrocities. In that connection, I would like to emphasize the role of the International Criminal Court as an independent and impartial judicial body that steps in when national jurisdictions are unable or unwilling to fulfil their primary obligation. Slovakia takes this opportunity to encourage all Member States who have not yet done so, to ratify the Rome Statute and its amendments. The twenty-fifth anniversary of the Rome Statute serves as an ideal opportunity to demonstrate our common commitment to the fight against impunity.

We also reiterate our call to take a step forward towards the elaboration of a new comprehensive convention on the prevention and punishment of crimes against humanity. The open and extensive discussions earlier this year within the Sixth Committee were encouraging and we hope that they will lead to concrete action in the General Assembly during its seventy-ninth session.

Slovakia also commends the recent adoption of the new Ljubljana-Hague Convention, which aims to foster the primary responsibility of States to investigate, prosecute and punish the perpetrators of the most serious international crimes by providing a robust and modern framework of inter-State cooperation. It will be crucial in our future endeavours, including on the crimes against humanity treaty, to avoid weakening our common goal of closing the impunity gap.

I could not conclude my statement without mentioning the situation in our neighbouring country Ukraine, where atrocities have been committed. An easy and quick way to prevent their further commitment is the immediate cessation of Russian military activities in Ukraine and the unconditional withdrawal of all Russian troops from the entire territory of Ukraine. We urge Russia to do this.

**Mr. Khan** (Pakistan): We would like to thank the President for convening the thematic debate and the Secretary-General for his report on the responsibility to protect (A/77/910).

At the 2005 World Summit, the concept of the responsibility to protect was presented as a noble humanitarian doctrine aimed at preventing mass atrocities and protecting vulnerable populations. Yet history has proven that there are inherent double standards and political considerations both in the rationale of the responsibility to protect and the application of its principles that undermine its credibility and objectivity.

There is ample evidence to suggest that in many cases a military action to protect civilians was swiftly transformed into so-called regime change and destabilized the country further. Such an abuse of the concept of responsibility to protect not only exposes the ulterior objective of pursuing geopolitical interests in the garb of duty to intervene to protect civilians but also highlights the inherent weakness of the concept of responsibility to protect.

Apart from its abuse, the concept of responsibility to protect has also led to the criticism that some States have failed to invoke it and shown hesitancy either in condemning the massive human rights violations committed by so-called strategic allies or by holding them accountable in the Security Council. One specific circumstance where the responsibility to protect would surely apply is in situations of foreign occupation or alien domination, such as in occupied Palestine or in Indian-occupied Jammu and Kashmir, which are rife with pressing human rights emergencies often equated with genocide and other similar crimes, but where voices to intervene to protect populations are unappealingly quiet.

For more than seven decades, India has denied the right of self-determination to the Kashmiri people, in violation of multiple resolutions of the Security Council prescribing a free and fair plebiscite. India has deployed 900,000 troops, resorted to extrajudicial killings, forced abductions, collective punishments and the incarceration of the entire political leadership of the All Parties Hurriyat Conference, which is the true voice of the Kashmiri people. In the past, Pakistan has also circulated a detailed dossier documenting with evidence over 3,432 war crimes committed by Indian officials in occupied Jammu and Kashmir. The United Nations

High Commissioner for Human Rights has issued two reports citing massive human rights violations and proposed the establishment of a commission of inquiry to investigate these violations.

The Rashtriya Swayamsevak Sangh (RSS) has proudly equated their ideology with Hitler's Nazis and called for the persecution of India's Muslims, just as the Jews were persecuted. Inspired by the same philosophy, today's Indian Government is leading a systematic campaign to cleanse India — and the occupied territory of Jammu and Kashmir — of all vestiges of their rich Islamic heritage. The RSS was responsible for the organized pogroms against Indian Muslims in Bombay in 1992, Gujarat in 2002 and Delhi in 2021, and the destruction in 1992 of the historic Babri Mosque and the construction of a Hindu temple on the site.

The persecution of Muslims has become a routine norm in today's India and in occupied Jammu and Kashmir, and the list of acts of persecution continues to grow. However, most recently, on Saturday, during a visit by Indian Home Minister Amit Shah to Indian-occupied Jammu and Kashmir, Indian Army personnel stormed a mosque in the Pulwama district of south Kashmir while Muslims were offering prayers, and they forced these Muslims to chant certain slogans against their will.

Gregory Stanton, the founder of Genocide Watch, recently warned us of the possibility of genocide in Indian-occupied Jammu and Kashmir and in India. The international community, especially the advocates of the responsibility to protect, must carefully analyse the devastating human rights situation that is transpiring in India and in the occupied territory of Jammu and Kashmir.

The responsibility to protect concept was generated from an expectation that the international community would act to protect those in danger. However, the selective application of the responsibility to protect driven by double standards and geopolitical considerations, together with certain underlying ambiguities within the concept, undermines its credibility as a genuine humanitarian doctrine. To truly uphold the principle of accountability and protect vulnerable populations, a more nuanced and balanced approach that avoids selectivity and promotes objectivity and impartiality is very much necessary.

**Mr. Amorín** (Uruguay) (*spoke in Spanish*): First of all, I would like to thank the President of the General

Assembly for convening today's formal debate on the responsibility to protect, which presents the Member States with an opportunity to reflect on and assess the efforts made and to be made to prevent crimes against humanity and mass atrocities. Before I begin the statement that I will make on behalf of my country, I wish to express my delegation's support for the statement made by representative of Croatia on behalf of the Group of Friends of the Responsibility to Protect (see A/77/PV.83).

We welcome and appreciate the presentation of the report of the Secretary-General entitled "Development and the responsibility to protect: recognizing and addressing embedded risks and drivers of atrocity crimes" (A/77/910), which underlines that poverty, institutionalized discrimination, lack of access to education, economic and gender inequalities and social exclusion are risk factors for atrocity crimes. Indeed, extreme poverty generates a lack of opportunities, competition for resources and major inequalities within a society that can exacerbate grievances between groups.

Some of the most effective policies for preventing atrocities are those aimed at reducing socioeconomic inequalities and strengthening governance. Likewise, the 2030 Agenda for Sustainable Development, which provides a framework for global cooperation to achieve a better and more sustainable future, can significantly contribute to atrocity-prevention efforts by addressing inequalities in development and governance through the building of more advanced societies. Building more resilient societies specifically requires, inter alia, respect for the rule of law as well as respect for and protection and fulfilment of all human rights, without discrimination. Key to this are legitimate, accountable and inclusive national constitutions that also ensure that all people have access to justice.

Despite initial progress following the adoption of the 2030 Agenda for Sustainable Development, in 2015, various global challenges such as the lasting effects of the coronavirus disease pandemic, armed conflicts, climate emergencies and the financial, food and energy crises have led to the stalling or reversing of progress towards the Sustainable Development Goals targets and have served as elements propagating armed conflicts. The world is facing unprecedented levels of violence, mass atrocities and displacement, and, despite collective efforts to prevent the escalation of conflict and protect populations, there are currently more than 100 million

people worldwide displaced by conflict, persecution and atrocities.

The Peacebuilding Commission can, in particular, play an important role in supporting States in the transition from conflict and atrocity crimes to sustainable peace by tracking underlying development indicators. Member States should explore the possibilities of engaging further with the Peacebuilding Commission, which can assist States and advise the Security Council on how to fulfil their obligations relating to the responsibility to protect. My delegation also wants to encourage the members of the Security Council to make use of its working methods to consider situations that could potentially involve atrocities as early as possible. In that regard, we support holding open debates on the responsibility to protect, the threat of atrocity crimes and the role of the Council in their prevention, and we urge Council members to request regular briefings by the Office of the High Commissioner for Human Rights.

Furthermore, I also want to point out that as a member of the Accountability, Coherence and Transparency group, Uruguay affirms its support for the proposal for a code of conduct for the Security Council with regard to draft resolutions aimed at protecting populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We also endorse the French-Mexican declaration asking the permanent members of the Council to abstain voluntarily from the use of the veto when mass atrocities are committed. The Security Council, which is mandated by the Charter of the United Nations with the primary responsibility for the maintenance of international peace and security, must make every effort and provide effective measures to protect the civilian population and prevent atrocity crimes. From the perspective of a representative of a troop-contributing country, I would like to emphasize the usefulness of peacekeeping missions as one of our most effective tools to shield civilians from atrocity crimes.

Uruguay recognizes the three pillars of the responsibility to protect. We prioritize the first and second pillars, concerning prevention, as the most effective means for taking on the responsibility to protect. In that regard, we support the work of the Special Advisers on the Prevention of Genocide and on the Responsibility to Protect and encourage them to share their analyses of developing crises with members and to provide recommendations and early warnings on

atrocities prevention to the Security Council, the General Assembly and the Human Rights Council. We cannot overemphasize the importance of the work of the Human Rights Council and its mechanisms, including the Universal Periodic Review, the special procedures and the treaty bodies, and of the technical assistance provided by the Office of the High Commissioner for Human Rights, all of which play a fundamental role in early warnings of risks and detecting indicators of mass atrocities crimes, while we underline the central role that early warnings must play in such cases.

In conclusion, Uruguay reaffirms its commitment to the responsibility to protect and calls for efforts to continue to be stepped up in order to advance its proper implementation.

**Mr. Moretti (Brazil):** In 2005, our leaders agreed that each individual State had the primary responsibility to protect its own populations from genocide, war crimes, ethnic cleansing and crimes against humanity. That is the first pillar on which the concept of the responsibility to protect (R2P) rests. The second pillar stresses the role of the international community in providing cooperation and assistance to enable States to develop local capacities that will enable them to discharge that responsibility. The third pillar applies only in exceptional circumstances and is subject to material, temporal and formal limitations. Should peaceful means be inadequate and national authorities manifestly fail to protect their populations, the international community may take collective action through the Security Council to protect populations from grave crimes. The responsibility to protect is not laid down in legally binding instruments nor does it reflect customary international law. It is a political concept to be used collectively through the United Nations.

Under no circumstance, may the concept of responsibility to protect be used as a pretext for unilateral coercive measures, intervention in domestic affairs or regime change. No State has the right to invoke the concept as a justification for acts not in accordance with the Charter of the United Nations. Furthermore, the international community, as it exercises its responsibility to protect, must demonstrate a high level of responsibility while protecting. Any collective action should be based on an agreed set of fundamental principles, parameters and procedures, such as the emphasis on prevention, including preventive diplomacy, and the exhaustion of all diplomatic, humanitarian and other peaceful means available in the

protection of civilians. The use of force is a measure of last resort and must always respect international law.

We are proud to have co-sponsored resolution 75/277, which included the item on the responsibility to protect on the annual agenda of the General Assembly. The resolution confirmed that the General Assembly, with its wide and representative composition, is the main locus to discuss R2P. Its adoption also reflected the recognition that there was a need to collectively discuss the protection of populations from R2P crimes.

I thank the Secretary-General and the Office on Genocide Prevention and the Responsibility to Protect for this year's report on development and the responsibility to protect (A/2023/910). In 2011, the Security Council underlined in presidential statement S/PRST/2011/19 that security and development are closely interlinked, mutually reinforcing and key to achieving sustainable peace. It recognized that their relationship is complex, multifaceted and case-specific. Poverty does not always lead to violence, but social, political and economic exclusion can contribute to the eruption of violence and conflict. It is important to underline that there is no direct link between development deficits and the commitment of genocide, war crimes, ethnic cleansing or crimes against humanity.

Regarding Sustainable Development Goals (SDG) 16, mentioned in the report, it must be considered in conjunction with all the other SDGs. Any effort towards the implementation of SDG 16 needs to take place as part of a broader endeavour that necessarily involves the social, environmental and economic dimensions of sustainable development. In order to prevent R2P crimes, there is a need for a comprehensive approach that strengthens coherence among political, security, development, human rights and rule of law activities. In that respect, the Peacebuilding Commission is well positioned to help fill the gap by playing its bridging role between peace and security efforts and development solutions, as well as mobilizing international support in cooperation with the entire United Nations System. It must always preserve its demand-driven approach and alignment with peacebuilding priorities.

Brazil reiterates its concern that once again the Secretary-General's report uses the term "atrocities crimes" to refer to the horrendous acts associated with R2P. As Brazil has underscored in previous interventions, Member States and the United Nations alike should avoid the temptation of multiplying and

using imprecise concepts. The term “atrocities crimes” is not defined under international law or in multilateral resolutions or decisions. The four crimes mentioned in the 2005 World Summit outcome document are undoubtedly atrocious, but so are other crimes that are not part of the definition used in the Secretary-General’s report.

The report of the Secretary-General acknowledges that food insecurity is a critical development concern. As co-focal point in the Security Council on food security and armed conflicts, Brazil highlights its centrality in conflict prevention and resolution, as well as in mitigating the impact of armed disputes involving the most vulnerable populations. Armed conflicts and food insecurity can form a vicious cycle that traps populations and countries in a spiral of degrading living conditions. Conflicts generate forced displacement, the destruction of essential infrastructure and, quite often, the degradation of otherwise viable soil. Food insecurity and malnutrition hamper human development, which is necessary for sustainable peace, and may intensify competition over resources. We need to break that cycle, and to do that we need concrete action in the three pillars of the United Nations. We call for increased cooperation between the General Assembly, the Security Council, the Economic and Social Council and the Peacebuilding Commission in order to make the integration of efforts more effective.

In conclusion, Brazil looks forward to continuing discussions on the best strategies to advance the prevention and response to R2P crimes, as well as to increase capacity-building and long-term measures capable of promoting more inclusive, diverse and tolerant societies.

**Mr. Ekren (Türkiye):** At the outset, we would like to thank the Secretary-General for his report (A/77/910), which provides an analysis of the relationship between development and the responsibility to protect. We also thank the Special Adviser for presenting the report to the General Assembly.

In 2005, Member States made an important commitment to their responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. Nevertheless, despite national and global efforts, we continue to witness grave human suffering, human rights violations and humanitarian crises around the world.

The full achievement of peace and stability in the world is closely related to developing the means and capabilities that can effectively address humanitarian crises and prevent human rights violations. In that regard, we note the emphasis in the report on patterns of discrimination and other violations of human rights as major risk factors. Today hate crimes, racism, xenophobia and discrimination based on religion have reached unprecedented levels. Those practices run counter to the principles of respect for human dignity, equality, human rights and fundamental freedoms. It is of the utmost importance for the international community to act in solidarity against the deplorable acts of violence and discrimination based on religion, in particular against Islamophobia, which is alarmingly on the rise.

On the other hand, violence against women continues to be a major threat to women in all countries. The severe effects of conflicts on women and girls in various geographies remain a significant problem that needs to be addressed by the international community, with a comprehensive and inclusive approach.

Section II of the Secretary-General’s report analyses the major risk factors and drivers of atrocities in economic, social, governance, conflict, human rights and development contexts. We note the inclusion of food insecurity, including hunger, famine and starvation, as a critical development concern under that section. For its part, Türkiye has assumed a pioneering role in addressing and mitigating the effects of food insecurity. The Black Sea Grain Initiative, which we brokered together with the United Nations, has been instrumental in providing food access to millions of people and bringing down global food prices. We continue our efforts for the smooth implementation and further extension of the Initiative.

The Secretary-General’s report lists stressors on social resilience among the major risk factors for atrocities. Terrorism is indeed a major threat against social resilience. The instability and destruction caused by terrorist organizations threatens not only lives, rights and freedoms, but also economic welfare and social stability. Funds that should ideally be allocated for the realization of the Sustainable Development Goals (SDGs) instead have to be utilized to remedy the damage caused by terrorist organizations. As indicated in the report of the Secretary-General on the Plan of Action to Prevent Violent Extremism (A/70/674), working towards achieving the SDGs is a long-term plan

to eradicate terrorism. The scope of the responsibility to protect must therefore take into account the fight against terrorist organizations.

We welcome the fact that the report under consideration today stresses the importance of prevention as the responsibility of States and the international community. Beyond doubt, prevention is one of the most effective instruments in our toolbox. However, when the efforts for prevention do not prevail, United Nations organs should step in to fulfil the duties, as envisaged in the Charter of the United Nations. In particular, we would like to underline the responsibility of the Security Council to act in situations of mass atrocities.

The responsibility to protect is yet to be an established norm of international law. Its scope and implementation need to be defined and refined. We believe that such a definition must be based on the broadest possible consensus within the international community, taking into consideration the concerns of all Member States. Those efforts should refrain from reinterpreting or renegotiating the well-established principles of international law and the existing legal framework. International treaties addressing the crime of genocide, war crimes, ethnic cleansing and crimes against humanity provide an authoritative and comprehensive legal framework for the prevention and punishment of those crimes. We should implement the relevant legal framework in a faithful and consistent manner.

**Mr. Oddone** (Argentina) (*spoke in Spanish*): We align ourselves with the statement delivered by the representative of the Croatia on behalf of the Group of Friends of the Responsibility to Protect (see A/77/PV.83), and I would like to make some remarks in my national capacity.

We highly appreciate the report of the Secretary-General (A/77/910) on development and the responsibility to protect. In paragraph 9 of the 2005 World Summit Outcome (resolution 60/1), Heads of State acknowledged that the three pillars of the international system are peace and security, human rights and development. In the same paragraph of that document, it is stated very clearly that those three pillars are interlinked and mutually reinforcing. The report under consideration today leaves no room for doubt as to the profound interlinkages among those three pillars. There can be no peace without development, just as

there can be no development without peace — and even less so if our vision for a peaceful world does not include respect for human rights.

We cannot but share the Secretary-General's conviction that the 2030 Agenda for Sustainable Development is the appropriate framework for working towards development and prevention. Development clearly enables us to reduce the zones of exclusion and poverty from which acts of mass violence arise. Sustainable development is no longer a mere expression of wishful thinking or a long-term objective; it is an urgent matter and must be addressed as such. It is indispensable for achieving a peaceful world. We are met with frightening figures — hundreds of millions of people are in a state of food insecurity, reports show us how rapidly ecosystems are deteriorating, and marine resources are diminishing by the day. What can we expect other than more conflicts and violence if we continue on this path?

Similarly, we cannot but welcome the report's assertions that human rights violations play a role in driving violence. We are all aware of the tremendous amount of extremist political rhetoric that is being spread around the world, including hate speech, intolerance, extremism of all kinds, discrimination and exclusion, for a wide variety of reasons. They strike a blow to the protection standards that the international community has worked so hard to build.

The picture painted in the report is both a road map and a call to action, and the responsibility to protect must be understood as such. It is a call to all States to fulfil our obligations in protection and prevention. As the report points out, the United Nations system has a wide array of institutions that are equipped to implement their role in prevention, and we cannot be indifferent to their potential. It is at our disposal.

Allow us to point out that Argentina is a heavy user of those instruments. Regrettably, we are among those countries that have had to endure mass atrocities. We will not explain the consequences here, other than to point out that there is always a before and an after in a country's history. However, we try to learn. The first lesson is that the path of prevention has a beginning but no end and, above all, that prevention is a relentless struggle. On many occasions, we have discovered that the causes of violence do not die, but only lie dormant. Therefore, in the fight, no tool is superfluous. Everything at our disposal is useful: the contributions

of the international system, cooperation with civil society, the incorporation of international human rights law into domestic law and new ideas.

We are aware that prevention is, above all, an activity that must be carried out by States, that it must be comprehensive and that each State must develop a strategy as it sees fit. We also believe that regardless of the path, prevention is not an option for States, but a duty to be fulfilled by everyone. But it is also true that prevention is a Herculean task and that is why we reaffirm our commitment to strengthening the efforts of the international community in support of that work. In that context, we would also like to express in particular our support for the work of the Office on Genocide Prevention and the Responsibility to Protect and the efforts of both Special Advisers.

Lastly, Argentina would like to reiterate its commitment and willingness to continue working on the early prevention of atrocity crimes. It is our responsibility to ensure that they do not occur.

**Mr. Greco (Italy):** Italy aligns itself with the statements delivered by the observer of the European Union and the representative of Croatia on behalf of the Group of Friends of the Responsibility to Protect (see A/77/PV.83), and would like to add the following remarks in its national capacity.

Italy reiterates its support for the responsibility to protect (R2P) principles. The commitment to the responsibility to protect is first and foremost a commitment to preventing and mitigating the risk of the most heinous crimes. Atrocities can and must be prevented and all possible efforts should be devoted to identifying and addressing their root causes.

We welcome the latest report of the Secretary-General (A/77/910) on this item and its focus on the intersection between R2P and development, by applying a human rights-based approach. We need early-warning mechanisms, as well as structural policies and comprehensive strategies, to build more resilient societies, based on respect for human rights for all. International cooperation for sustainable development, human rights and peace are an integral part of Italian foreign policy. Under our national legislation, development cooperation recognizes the centrality of the human person, in her or his individual and community dimension, and pursues the objectives of eradicating poverty, protecting and fulfilling human rights, as well as preventing conflicts; supporting peace

processes, reconciliation, post-conflict stabilization, consolidation; and strengthening democratic institutions, in line with the principles and strategies of the United Nations and the European Union.

Extreme poverty, human rights violations, weak institutions and impunity can represent risk factors that need to be properly recognized, identified and addressed before becoming actual drivers of conflict, hate and violence. Stepping up our capacities at the national, regional and international levels to address the root causes of atrocity crimes is key in that perspective.

In its capacity as Vice-President of the Economic and Social Council, Italy welcomed the Council's special meeting, held on 24 January, which was aimed at considering the potential of social and economic measures to prevent genocide, war crimes and crimes against humanity. That meeting highlighted the need to further develop our knowledge on the prevention of atrocity crimes through socioeconomic measures. We support the collective efforts of the international community in that direction.

In particular, we welcome a bottom-up approach to prevention and reiterate our support to the ongoing work of the Office of the Special Adviser on the Prevention of Genocide, aimed at engaging with local communities and grassroots organizations, embedding the principles of local ownership and factoring in a gender-sensitive and gender-responsive approach, in a way that encompasses various agendas, such as those related to the fight against hate speech, women and peace and security, peacebuilding and sustainable development.

In that spirit, we congratulate the Office of the Special Adviser for the recent launching of the Plan of Action for Women in Communities to Counter Hate Speech and Prevent Incitement to Violence that Could Lead to Atrocity Crimes, known as the Napoli Women in Communities Plan of Action. The Plan is the result of the joint work carried out by a group of community women leaders who met in Naples in July 2022 to discuss new ways to protect, support and empower those women who are at the forefront of atrocity prevention. Their joint work has resulted in the drafting of a series of recommendations, aimed at advancing that very ambitious and challenging agenda.

Addressing the topic of R2P in its various and interrelated dimensions is crucial to upholding our collective commitment and to ending the climate of

impunity that challenges our individual and collective prevention efforts.

**Mr. Kulháněk** (Czechia): Czechia aligns itself with the statements delivered by the observer of the European Union and on behalf of the Group of Friends of the Responsibility to Protect (see A/77/PV.83).

Czechia has been a strong supporter of the principle of the responsibility to protect (R2P) since its adoption in 2005. As we approach the twentieth anniversary of the World Summit, delivering on that global political commitment, both in terms of prevention and response, remains a shared challenge. However, the persistence of horrific atrocities around the world is a stark reminder that implementing the responsibility to protect must stand at the forefront of the efforts of the international community as a whole.

We agree with the Secretary-General's message in this year's R2P report (A/77/910) that poverty, inequality and social exclusion, as well as a lack of good governance, are important risk factors for atrocity crimes. Prevention should therefore involve broader efforts to adopt effective public policies that can contribute to building more resilient societies and protecting vulnerable populations.

Renewing our commitment to the implementation of the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals at the September summit will therefore be crucial. There is also a need to work effectively across the humanitarian-development-peace nexus, and we should be doing so with an increased focus on the peace pillar. As we prepare the New Agenda for Peace, we should look closely at strengthening international capacities to identify key risk factors and shape responses to all forms of violence. The emphasis on prevention requires holistic approaches, and the international community can pursue those through a range of tools at its disposal.

First and foremost, it is important to strengthen the protection of human rights globally. Member States should implement their human rights obligations and build their capacities in that respect. The Universal Periodic Review, the special procedures and other mechanisms play a crucial role in prevention and early warning.

A safe and enabling environment needs to be fostered for civil society actors, including human rights defenders, humanitarian workers and the media, who

have an indispensable role to play in assisting R2P efforts. Various entities of the United Nations system can contribute more effectively to the implementation of the R2P principles. The Security Council, in the first place, must utilize all means to react to crises, protect civilians and support peace processes. We fully support the Franco-Mexican initiative on veto restraint in cases of mass atrocities.

We support the mandate and appreciate the work of the Secretary-General's Special Adviser on the Responsibility to Protect, as well as that of the Special Adviser on the Prevention of Genocide. In view of the Secretary-General's annual report on R2P, we would welcome the inclusion of assessments of the implementation of recommendations from previous reports, as well as an analysis of trends regarding the risks of atrocity crimes.

In addition to the ultimate goal of preventing atrocity crimes from happening, the international community must address the challenges of achieving accountability for committed atrocities — from genocide and crimes against humanity to war crimes — as a priority. The consistent pursuit of justice by national authorities, as well as by international jurisdictions such as the International Criminal Court, remains essential to fostering a global culture of accountability that champions the responsibility to protect.

**The Acting President:** We have heard the last speaker in the debate on this item for this meeting. We will hear the remaining speakers at a later date to be announced.

The exercise of the right of reply has been requested. May I remind members that statements made in the exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second, and should be made by delegations from their seats.

**Ms. Bhat** (India): We heard today another statement from the delegation of Pakistan that was devoid of facts and full of vicious propaganda that does not stand up to scrutiny — especially against my country, where democracy runs in our veins, religious freedom is constitutionally guaranteed, institutions run strong and Government policies are carried out without discrimination on the basis of religion, sect, caste or sex. Words like “genocide” were freely thrown in by the delegation of Pakistan in a Goebbelsian attempt to turn the world away from its own abysmal record.

However, the facts speak for themselves. The fact is that Pakistan is perhaps the only country that has committed genocide and gotten away with it without so much as an acknowledgement, let alone an apology. The scars of the genocide in erstwhile East Pakistan and present-day Bangladesh still run deep. As has been fully documented by independent and multilateral agencies, the fact is also that, due to Pakistan's bigoted policies, including its use of blasphemy laws, religious and sectarian minorities in Pakistan live in a state of fear. I am certain that the representatives of Pakistan, who are sure to take the floor again after me, will have nothing to say about that. That should be unsurprising to all of us here who have seen their actions over the past several decades.

As for their unsolicited views on the Indian union territory of Jammu and Kashmir, I do not wish to dignify their comments with a response, since it is well known that the entire union territories of Jammu and Kashmir and Ladakh are inalienable territories of India. That includes the territory of Jammu and Kashmir, which is currently under the illegal occupation of Pakistan.

**Mrs. Ijaz** (Pakistan): My delegation is constrained to take the floor in response to the assertions just made by the representative of India.

The Indian delegation did not address the facts presented by my delegation regarding its deeply troubling trajectory of human rights. Rather, it made a sad attempt to spread falsehoods and propaganda against my country. India has used terrorism as a State policy against its neighbours. Since Bharatiya Janata Party-Rashtriya Swayamsevak Sangh zealots cannot realize their dream of Akhand Bharat, they try to enlist, train, fund and sponsor terrorists to do their bidding and further their destabilizing agenda in the region.

What is there to say about genocide? The threat of genocide is looming in Jammu and Kashmir, illegally occupied by India, as well as in India itself. India is shamelessly engaged in crushing the legitimate Kashmiri request for self-determination with an occupation army of 900,000 troops. Let me reiterate here that Jammu and Kashmir is an internationally recognized disputed territory and not an integral part of India. Repeating a wrong position does not make it acceptable at any point.

India has no right to take any unilateral action to change the status of the territory, according to Security

Council resolutions on Jammu and Kashmir. If India has any respect for international law and moral courage, it will end its reign of terror, withdraw its troops and let the Kashmiris freely decide their future in accordance with the relevant Security Council resolutions.

**Ms. Jiang Hua** (China) (*spoke in Chinese*): China firmly rejects the baseless accusations and malicious smears against China made by the representative of the United States in his statement earlier. The United States' claims that a genocide is taking place in Xinjiang, China, have a political purpose — to control China. The so-called Xinjiang issue is the outright lie of the century.

What is genocide? The United States knows it best. The United States Government's policy of the purposeful and systematic slaughter and plunder of Native Americans led to a sharp decline in the indigenous population from 5 million in 1492 to 250,000 in the early twentieth century. That is a historical original sin that the United States cannot shake off. The United States should face up to its genocide of Native Americans, its systematic racial discrimination against ethnic minorities and its unilateral coercive measures against developing countries, and it should stop dictating to other countries.

Under the political manipulation of the United States and the West, the United Nations Committee on the Elimination of Racial Discrimination has not communicated with China regarding such claims, nor has it verified them. It has abused the so-called early-warning and urgent action procedure to smear and slander China's human rights situation based on false information, which China firmly rejects.

The United States so-called anti-terrorism military operations have caused the deaths of some 900,000 people over the past decade. In the name of the responsibility to protect, the United States has waged wars in Iraq, Libya and Afghanistan that have caused serious humanitarian disasters. I hope that the Special Adviser of the Secretary-General on the Responsibility to Protect will pay attention to that issue and make recommendations on accountability.

**The Acting President:** The General Assembly has thus concluded this stage of its consideration of agenda item 132.

*The meeting rose at 6 p.m.*