



## **Permanent Mission of Pakistan to the UN Geneva**

### **44<sup>th</sup> Human Rights Council Session**

### **Resolution A/HRC/44/L.12 on 'Fifteenth anniversary of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, as enshrined in the World Summit Outcome of 2005'**

### **Explanation of Vote before the Vote by Pakistan**

**(17 July 2020)**

Madam President,

The concept of "Responsibility to Protect (R2P)", as articulated in paras-138 and 139 of the World Summit Outcome document and GA resolution 63/308, continue to evoke varying perspectives as well as conflicting interpretations; and above all its applications remains driven solely by political considerations.

The international community must uphold the principles of objectivity, non-selectivity and impartiality, while deliberating upon R2P framework and applying it in different situations on ground.

A major concern for Pakistan is the proclivity of those championing the cause of R2P to overlook human rights merits of illegal foreign occupation with clear UN Security Council mandates, on the pretext of their bilateral relations with the occupation powers.

Sacrificing R2P principles at the altar of bilateral interests encourages the occupation regimes to continue human rights violations. Such violations in situations of illegal occupation can easily spiral to genocide, war crimes, ethnic cleansing and crimes against humanity in the absence of international scrutiny and accountability.

Jammu and Kashmir is a clear example where the occupier's attempt to change demography of the disputed territory, layered lockdowns and persistent use of force with full impunity and in complete defiance of UNSC resolutions as well as international laws, constitute early warning signs of ethnic cleansing and a cascading threat to international peace and security.



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We call upon the core group and countries zealously supporting L.12 document to demonstrate their advocacy and respect for R2P on strict human rights merits, particularly for a UN recognized disputed territory.

Madam President,

With this backdrop, we believe that L.12 document remains deficient in approach and substance, on the following three counts:

**One** – R2P as a concept is still under consideration by the UNGA, as mandated by GA resolution 63/308. Commemorating its 15<sup>th</sup> anniversary is therefore premature.

**Two** – Selective application of R2P renders the concept vulnerable to exploitation for parochial interests and political consideration. Sadly, no firewall is embedded in L.12 document against selectivity and partial approaches.

**Three** – Situations of illegal foreign occupation have greater resonance with the theme of R2P due to diminished State responsibility of the occupation power and its tendency to disregard international humanitarian and human rights laws. Therefore, any R2P document must cater to such situations. L.12 document falls short of this expectation too.

In view of these deficiencies, Pakistan will abstain on the draft resolution, contained in L.12 document.

I thank you.