Foreign & Commonwealth Office (UK)

We should not let outdated interpretations of the Charter be used to excuse inaction.

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Thank you Foreign Minister, Madam President, for convening this debate and for being with us in person today. I want to join others in thanking the Secretary-General for his insightful briefing, all of which I agree with, and for his leadership of the ‘Human Rights Up Front’ initiative.

The Security Council’s primary responsibility to maintain international peace and security is enshrined in the Charter. That puts us, as my New Zealand colleague has just said, at the centre of the rules-based international system. We face new threats, that the founders of the United Nations did not foresee, but the responsibility that this Council holds remains. And it is a responsibility that empowers us to take a range of measures, including force, should the situation on a particular issue or in a particular country threaten international peace and security. The only question to be debated today is how we do so.

The Article that you, Madam President, mentioned from the Charter, Article 2.7, is explicit, and I quote, in not prejudicing the application of enforcement measures under Chapter VII.

Threats to international peace and security have changed. They now mainly come from intrastate instability that spreads far beyond national borders. Weak or failing states and non-state actors now pose our greatest challenge. As the situation in Syria shows, if they are left unaddressed, these threats undermine both the rights of states and the rights of people.

In response, we should not let outdated interpretations of the Charter be used to excuse inaction. Still less, to justify action that makes a situation worse. Sadly, there are some in this Council who do precisely that. Members who claim the primacy of sovereignty above all else. Or who would rather abuse the power of the veto and ignore the responsibility conferred on the Council by the Charter. Or who disregard efforts to restrain the use of the veto, including through the ACT’s Code of Conduct, which the Spanish Minister rightly highlighted, and which the UK is proud to commit to. Ironically, it is those members of the Council that abuse sovereignty the most.

Look at the invasion and illegal annexation of Crimea two years ago. This was the most egregious violation of sovereignty in recent memory. That it was perpetrated by a permanent member of this Council, a member that claims to uphold the principles of the Charter, makes

it even more unacceptable still. I reaffirm in this Chamber the United Kingdom's full support for Ukraine's independence, sovereignty and territorial integrity and I reassert our commitment to the return of Crimea to its rightful place as part of Ukraine.

Madam President,

In the light of the new threats we face, our response needs to be commensurate with the purposes and principles of the Charter. In doing so, this Council can bolster sovereignty. As the Secretary-General argued recently in Cambridge, England, we need to recognise that you cannot have true sovereignty without respecting the human rights of the people you govern. Or as he said today, it is violence and conflict, not our attempts to help member states prevent it, that threatens state sovereignty. It is violations of human rights by the state that erode the legitimacy of the state.

The concept of sovereignty has not stood still; we no longer accept the medieval view that the sovereign owns everything and is the state. In the 21st century, sovereignty has to amount to a contract between governed and government. And crucially, this contract depends, in part, on respect for human rights.

When human rights are violated and abused, when basic freedoms are ignored, when a leader loses legitimacy, peace and security can be threatened and sovereignty is put at risk.

We saw this for ourselves when we visited Burundi last month. We heard stories of summary executions, of mass graves, and of sexual violence. These warning signs should be all too familiar to this Council. We must all know by now that if they are left unchecked, the risk to sovereignty won't come from too much action by this Council, but from the destabilising consequences of too little. If we are inactive, violence could spill across borders, giving space for extremism to flourish, and undermining the rule of law and eroding respect for human rights.

Which is exactly what has happened for nearly six years in Syria. Has a heavier price ever been paid for such a myopic interpretation of the United Nations Charter? As a consequence, a quarter of a million people are dead. Millions upon millions have fled their homes. Over a million live now their life under siege, so many facing starvation. We all should welcome the commitment made by the International Syria Support Group in calling for a cessation of hostilities last week. It is long overdue. But it will only succeed if the Syrian regime and its backers change their behaviour, stop the bombing, observe the ceasefire and allow humanitarian access. In short, live up to their obligations.

Madam President,

Let me close with this final reflection. What would our world look like if we really believed in an outdated view of sovereignty; an extreme view in which sovereignty trumps all principles in

international relations and international law? The Security Council agenda would be thin. It would be a world where this Council wouldn't even attempt to prevent calamity in Burundi. Where peacekeeping operations would be far fewer in number. Where sanctions would never be used to encourage regimes towards more acceptable behaviour. Where threats of proliferation went unchecked. Where the most serious crimes of concern to the international community went unpunished. There be impunity and no accountability. How could international justice function at all?

It'd be a world where we failed to uphold even the first article of the Charter; to take effective collective measures for the prevention and removal of threats to the peace.

So I'm glad that we don't live in that world. We live in a world, for all its imperfections and challenges, where individuals can demand rights, and are entitled to hold their governments to account. We live in a world where old, backward looking concepts of sovereignty no longer provide stability or peace and security. We live in a world in which the Charter, written 70 years ago, still applies – exactly as it was meant: respecting the rights of states and their peoples, and granting this Council the authority to take enforcement action to maintain international peace and security. Thank you.

Source: https://www.gov.uk/government/speeches/we-should-not-let-outdated-interpretations-of-the-charter-be-used-to-excuse-inaction