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This video explains why the duty to protect raises specific questions. The essence of the problem is that no society is "risk-free": the State's duty to protect is not infinite, because its control over society is never complete.

Therefore, the duty to protect of the State must be understood as a *duty to take any measures that it can reasonably be expected to adopt in order to prevent the violation* from occurring. It is an obligation of *means*, rather than an obligation of *result*.

ON THE OBLIGATION TO PROTECT

Help

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So the duty to protect is really a duty of the State

to intervene in private relationships in contexts

where human rights are being threatened by private conduct,

conduct by non-state actors.

And that duty poses specific questions in international human rights law.

And the reason for this is very simple.

In a free society in which individuals may, in principle, act as they choose,

states are not in a position to prevent all violations from occurring.

They must, of course, do whatever they can

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to prevent such events from occurring.

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But there's some events which they would not be in a position to avoid.

And that, if you wish, is a price we pay for living in free societies.

These societies are almost by definition risky for individuals.

Only a totalitarian state would be able to prevent entirely all human rights violations from occurring.

And even then, the control of the state would never be able to be complete.

So this section of the course is about that issue.

And essentially, we will see that there are three key limitations to what

can be expected from the state.

First, there are resource limitations.

States may not prevent any events that might

### Help

You may also watch this video on YouTube (<http://youtu.be/TbdOqt96bA0>), or download it here (<http://podcast.uclouvain.be/kThLbO4LpW>) (captions ([/c4x/LouvainX/Louv2.01x/asset/\\_Captions\\_\\_Louv201x\\_-\\_The\\_duty\\_to\\_protect.srt](/c4x/LouvainX/Louv2.01x/asset/_Captions__Louv201x_-_The_duty_to_protect.srt)) in .srt format and a full transcript ([/c4x/LouvainX/Louv2.01x/asset/\\_Transcript\\_\\_Louv201x\\_-\\_The\\_duty\\_to\\_protect.pdf](/c4x/LouvainX/Louv2.01x/asset/_Transcript__Louv201x_-_The_duty_to_protect.pdf)) are also available).



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