



Kingdom of the Netherlands

Statement
by
Ambassador Herman Schaper
Permanent Representative
Permanent Mission of the Kingdom of the Netherlands to the
United Nations in New York

Informal interactive dialogue on the Responsibility to Protect
5 September 2012

Mr. Moderator,

I would like to congratulate you with your appointment as the SG's Special Advisor on Prevention of Genocide. I would also express our gratitude to Special Advisors Francis Deng and Ed Luck. Our discussions with them as co-chairs of the Group of Friends of R2P always have been very enriching and stimulating.

The concept of R2P has matured since the World Summit in 2005. International support has grown substantially and is widespread in all regions. However, some countries still seem to favor an absolutist Westphalian concept of sovereignty, over the concept of sovereignty as responsibility. This makes it sometimes very difficult or impossible to come to a collective approach on the exercise of our collective responsibility to respond to mass atrocities, as we have seen in Syria.

R2P is based on fundamental norms, standards and principles of international law which should be applied in cases of mass atrocities such as genocide, war crimes, ethnic cleansing and crimes against humanity, as the SG also mentions in his report and speeches. It is not a concept which opens the door to arbitrary and widespread military intervention, but it is a narrow and deep concept focusing on four mass atrocities only.

For timely and decisive action in such cases a large toolbox is available, not just military means, as also described in the report of the SG. Commissions of Inquiry, mediation, sanctions, arms embargoes, referral to the ICC and

civil missions are all important instruments in such a toolbox, as the deputy SG also mentioned. That means that even in serious and threatening situations, there are many alternatives to the use of force.

In the UN, we have all these tools at hand. But we need to improve their application and increase our political and financial support, as preventive tools are underfunded.

Military intervention - with Security Council approval – is the absolute last resort. In this context, it is a misconception that coercive non-military measures will automatically result in military action. Taking such a position would block any effective action by the international community and are in essence an excuse for inaction. Each situation requires a different response and there is no automatic escalation model from condemnation of violence to sanctions and ultimately sending in the marines.

Inaction also has its price, as we see in Syria. The violence has escalated, many people have died, the opposition is strengthened and a political solution has become extremely difficult. The scenario that the opponents of collective action through the Security Council feared, has become reality, not because of action by the international community, but to a large degree because of its inaction.

Mr. Moderator, the Secretary-General is very correct when he states that there is no template for decision making in case of coercive measures. However, we do believe that decision making by the Council could benefit in the case of military action from a more structured and substantial discussion, also to ensure that afterwards no disagreement will surface on the exact meaning of the language in a mandate.

Mandates with military aspects should be based on sound military advice. Such military advice would help to come to clearer and more specific mandates, which would also make monitoring the implementation of mandates easier.

Finally, I would like to underline the importance of prevention, as the President of General Assembly has done in his concept note and many speakers during this debate.

Next to the elements mentioned by the Secretary-General on early warning, a strategy of prevention should be comprehensive.

Creating the conditions for economic development, good governance, an independent judiciary, adequate policies for managing diversity, reducing

inequalities between people, regions, and genders, and preventing impunity. All this contributes to the prevention of mass atrocities.

We would therefore welcome an interactive dialogue on prevention during the 67th UNGA.

Thank you.