

Netherlands - MFA - Speech by Verhagen at Round Table on the Responsibility to Protect

Ministry of Foreign Affairs 25 August 2009

The following speech was delivered by Foreign Minister Verhagen at a Roundtable in the Hague on the Responsibility to Protect, which included distinguished guests such as the Special Advisor with a focus on RtoP, Edward Luck.

Professor Luck, I trust that you have been received with open arms here in The Hague, as the Netherlands is a staunch supporter of the concept of **RtoP**. Right from the start, we have defended the principle that both states and the international community have a

responsibility to protect

people against the most heinous crimes, against the type of conscience shocking situations that we have witnessed in different regions as recently as the nineties. Both in cases where governments fail to protect their own populations (and need support to effectively do so) as well as in those situations where governments themselves have become perpetrators – the international community has a moral obligation to act. This has been confirmed and endorsed by all UN Member States in 2005 and ever since we have been trying to translate this commitment into practice. The Netherlands is a member of the Group of Friends of RtoP and we support the Global Centre on the Responsibility to Protect in New York, which fulfills an important role in mobilizing support in different regions around the world.

RtoP

matters a great deal to me personally. I look at this important concept both from a human rights perspective – it fits seamlessly in the human rights agenda according to which I aim to shape our foreign policy – and from an international law viewpoint: the very adoption of

RtoP

already marked a change in international relations; now its implementation in certain situations must also have real impact. We must ensure that our response today is better than it has been in the past. This touches the core of our moral responsibility.

A year ago, during the opening week of the General Assembly, I co-hosted a ministerial meeting on **RtoP**, with the aim of discussing ways to further operationalize this principle. On that occasion, I said that **RtoP** is narrow in scope but that there is a broad range of policy instruments that can be employed by way of implementation. I would repeat that message here this afternoon: it is clear what

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oP seeks to do. It seeks to prevent and stop four well-defined crimes: genocide, war crimes, ethnic cleansing and crimes against humanity. Nothing more, and nothing less. There are many ways of achieving this. It is clear that prevention of atrocities is key. That's why it is somewhat disappointing that the discussion oftentimes focuses on the use of force. That is approaching the issue from the wrong end: we should not exclude the military option, but it would only be a measure of last resort.

Critics often argue that **RtoP** goes against national sovereignty. My response is that the **responsibility to protect**

and national sovereignty are two sides of the same coin: in the twenty-first century, states can no longer simply hide behind the notion of sovereignty. What we are looking for is responsible sovereignty. And the international community should assist states to exercise such responsible sovereignty, by strengthening their capacity, for example. It is as simple as that.

Needless to say, not everyone agrees. Last year's appeal to reach out to countries that are fearful or sceptical of **RtoP** has produced mixed results. Last month, the General Assembly debated the concept of **RtoP**, based on the Secretary-General's report on the implementation of **RtoP**. A report that you, professor Luck, master minded. Many countries participated in the debate. That was a positive sign. Many countries also issued constructive statements. Another positive sign. But the debate did not result in a resolution, as the Netherlands would have liked to see; a resolution that is forward looking, constructive and laying the basis for further implementation. Unfortunately, it is unclear in which way this important debate will now be followed up. There is no set of conclusions or any agreed way forward. The greatest gain seems to be that we did not lose anything and that the 2005 consensus still stands.

Theoretically, that is, because we know that in real life, a determined group of countries does not wish to see **RtoP** turn into something tangible, something that may affect them as it seeks to protect their populations.

This being said, we should recognise that the fact that **RtoP** was endorsed in 2005 in the first place is, in hindsight, an incredible step forward. I say this not in order to lower our ambitions for the future, I say this so that we remain realistic and aware of some very heartfelt sensitivities to this new concept.

So the question is: how do we move forward? I do not intend to give up on **RtoP**. After all, we are talking about people. Men, women and children who are entitled to protection against the types of crimes that I mentioned, and who must be able to count on the support of the international community when such crimes occur. We should keep our eye on these people. They are the ultimate beneficiaries of **RtoP**. In fact, we all are – as these crimes can occur on any continent, also here in Europe.

Next month, we will again discuss **RtoP** in the margins of the opening of the General Assembly. Again the Global Centre for the **Responsibility to Protect** will organize a meeting on **RtoP**.

I would like to ask you, representatives of NGOs that are present here today, to come up with creative yet realistic suggestions on how to move our **RtoP** agenda forward. Professor Luck, I am certain that you could also use such advice and you may already consider this afternoon's discussions useful. The margins of success are relatively limited – last month's debate has made that much clear. Within those narrow margins, we need smart options – ideas that will not only keep the concept of **RtoP**

on the table but that will also help to devise an

RtoP

implementation strategy, so that we know what will work best in what circumstances. I am calling for a concerted effort among like-minded states and civil society to act jointly in the face of challenges to

RtoP

. This is what next month's meeting should be focusing on. By way of conclusion, I invite you all to share useful and practical ideas so that

RtoP

is not only properly understood, but implemented as well.