

United Nations General Assembly holds fifth informal, interactive dialogue on the Responsibility to Protect focusing on the theme of state responsibility and prevention

On 11 September 2013, the United Nations General Assembly (UNGA) held its fifth annual informal, interactive dialogue on the Responsibility to Protect (RtoP, R2P) at United Nations Headquarters in New York. The dialogue was based on the Secretary-General's fifth report on the Responsibility to Protect entitled

["State Responsibility and Prevention"](#)

(A/67/929) and focused on the

[first pillar](#)

of the norm, which articulates that states have the primary responsibility to protect their own populations from genocide, war crimes, crimes against humanity, and ethnic cleansing. The Secretary-General's report explored the risk factors that can lead to the perpetration of mass atrocities and provided policy options for states to consider so as to strengthen national capacities to prevent such crimes.

Overview of the panel of experts

The Vice-President of the General Assembly and UN Secretary-General (UNSG) Ban Ki-Moon provided opening remarks to the dialogue. In his

[statement](#)

, the UNSG reminded delegations that the adoption of RtoP in the

[2005 World Summit Outcome Document](#)

remains a "remarkable achievement." Despite the ongoing atrocities in certain parts of the world, the Secretary-General stressed that the RtoP norm itself was not to blame for the international community's immobility in the face of such crimes. He further stated that the purpose of RtoP was not to "rush in at the eleventh hour" but to prevent such crimes from occurring in the first place, and urged states to develop and strengthen their prevention capacities.

The Special Adviser to the Secretary-General on the Prevention of Genocide, Mr. Adama Dieng, then moderated a panel of experts, including Deputy-Secretary-General

[Mr. Jan Eliasson](#);

recently-appointed Special Adviser on the Responsibility to Protect Dr. Jennifer Welsh;

[Ms. Cecile Kyenge](#)

, Minister of Integration of Italy; and Ambassador Maria Cristina Perceval, Permanent Representative of Argentina to the United Nations. Mr. Eliasson recalled that the international community understood that early and preventive action is less costly and more effective, but that the problem lies in summoning the necessary political will. Minister Kyenge reminded delegations that atrocity crimes can also occur in democratic countries, and that states must therefore concentrate on the two greatest risk factors in democracies: how to defeat social vulnerability, and how to avoid creating contexts of segregation. Additionally, she noted the relationship between citizenship rights and atrocities prevention, highlighting that the denial of

such rights places groups at risk of human rights violations which may escalate into the commission of RtoP crimes. Meanwhile, Ambassador Perceval invoked the specter of past violence, including the commission of crimes against humanity committed in Argentina, and highlighted the critical role of memory in mass atrocity prevention. Dr. Jennifer Welsh stated that the UN, Member States, and civil society must do more to understand the relationship between human rights protection and atrocity prevention, while keeping in mind the distinction between the two agendas. Dr. Welsh stressed that atrocities can occur in times of peace and also in the absence of systematic violations of human rights, while also underscoring the vital need to incorporate an atrocity lens within the operational framework of existing UN mechanisms and organs.

Informal, interactive dialogue on RtoP

The panel of experts was followed by an informal, interactive dialogue, moderated by Mr. Dieng, in which sixty-eight governments, and one regional arrangement participated. Two civil society organizations, the

[Global Centre for the Responsibility to Protect](#)

and the

[International Coalition for the Responsibility to Protect](#)

(ICRtoP), also gave interventions. The 2013 dialogue included the highest number of participating governments since the first debate on RtoP held in 2009, with eight states (Thailand, Paraguay, Montenegro, Latvia, Finland, Belarus, Papua New Guinea, and Togo) participating for the first time.

Speakers took the opportunity to welcome Dr. Jennifer Welsh and expressed their strong support for the work of the UN Office on Genocide Prevention and the Responsibility to Protect. Additionally, participants welcomed the theme of the dialogue, with almost all Member States declaring that prevention is the foundation of the Responsibility to Protect.

The government of Singapore stated that the “Secretary-General’s report rightly points out that “there is no one-size-fits-all approach to atrocity prevention.” Every country’s national circumstances differ.” With regards to the risk factors outlined within the report, the government of Armenia discussed the dangerous role hate speech plays in the escalation of emerging crises. Connected to this point, the government of Thailand reflected on how the media sector can use journalism to assist with prevention, while also noting the potential dangers when press is used to spread hate and incite violence.

Strengthening good governance and the rule of law

The majority of participants used their interventions to recall the range of policy options outlined within the report to both note the critical importance of such actions as well as share examples of implementation by their governments. In this regard, much discussion was focused on the

need for states to strengthen mechanisms in the areas of good governance and the rule of law. The government of Morocco reflected on the guarantees provided within its constitution, including the criminalization of genocide and crimes against humanity. Additionally, the

[United Kingdom](#)

noted its government's adoption of the 2012 national action plan to combat hate crimes as well as the creation of a team of experts to prevent sexual violence. Several interventions raised the importance of national and international judicial mechanisms, including the International Criminal Court. Among others,

[Estonia](#)

, Latvia, Liechtenstein, and Nigeria pointed to the importance of ending impunity for perpetrators of atrocity crimes, with

[Hungary](#)

noting that "history teaches us that there is no lasting peace without justice" as "atrocities, swept under the rug, because of a lack of capacity or political will, become sparks for atrocities in the future."

National and regional mechanisms for prevention

Governments, including the

[United States](#)

and Tanzania, discussed how national mechanisms, such as the Atrocities Prevention Board and the National Committee for the Prevention and Punishment of Genocide, War Crimes and Crimes against Humanity and all forms of Discrimination, respectively, can strengthen state preventive capacity. Other states emphasized the need for the continued development of early warning and assessment infrastructure to provide information and analysis. On a related note, many governments highlighted the recent or past appointment of a national-level focal point on RtoP, an initiative led by the governments of Denmark, Ghana, Australia and Costa Rica in collaboration with the Global Centre for the Responsibility to Protect, as a step towards the further domestication of their protection obligations. States, including Argentina and Paraguay, underlined the Latin American Network for Genocide and Mass Atrocity Prevention, created in collaboration with governments and with the Auschwitz Institute for Peace and Reconciliation, as a regional mechanism for prevention. Argentina,

[Switzerland](#)

, and Costa Rica, among others, noted the recent launch of Global Action Against Mass Atrocity Crimes as a structure to further strengthen prevention.

The relationship with other UN bodies and agendas

Interventions also raised the relationship between the prevention of RtoP crimes and the Peacebuilding Commission (PBC), as well as with other UN agendas, including Women, Peace and Security (WPS). In speaking on the PBC, the government of

[Belgium](#)

noted the preventive role it could play by using its unique perspective and ability to mobilize, inform, and advise national actors and the international community.

[New Zealand](#)

's intervention highlighted the relevance of the WPS agenda to fulfilling RtoP, "including fundamental principles on women's equal participation and representation in political processes and decision making," a role which "must be enhanced at the national and international level in order to ensure comprehensive political settlements." Additionally, several states raised the link between development and prevention, with

[Brazil](#)

stating that lasting peace can only occur when issues such as food security and development are addressed, while

[Peru](#)

reflected on its actions to address poverty, among others, to strengthen national capacity.

The crucial role of civil society in prevention

Central throughout the dialogue was the critical role that civil society plays in assisting states to strengthen their capacities to prevent the domestic commission of RtoP crimes. The government of Turkey expressed appreciation for the participation of civil society in the consultation process to inform the UNSG's report, with the Czech Republic noting that the implementation of RtoP extends well beyond the UN to include civil society and academia, among others. In its intervention, the government of

[Slovenia](#)

recalled how national civil society actors have contributed to prevention in countries such as Kenya and Libya. Speaking from experience as a post-crisis country,

[Cote d'Ivoire](#)

noted the critical role of civil society in raising awareness of and denouncing abuses against vulnerable populations, as well as conducting training to prevent conflict and RtoP crimes. The

[European Union](#)

expressed its support for governments to provide "space for an active civil society", while the government of

[Finland](#)

declared that civil society "is a huge asset for us in atrocity prevention" as NGOs are "involved in the preparation of national legislative strategies". The intervention delivered by the Director of the

[ICRtoP](#)

further elaborated on the range of actions conducted by organizations to assist in prevention, such as collaborating with and supporting national prevention mechanisms and providing early warning information on the risk of emerging crises. The work of the ICRtoP and its global membership was recognized by both Special Advisers to the Secretary-General on the Prevention of Genocide and RtoP as they expressed their support for civil society and reflected on the crucial role these actors play in the advancement of RtoP.

Crises and the use of the veto

As the subject of the dialogue was on prevention, speakers took the opportunity to recall those

past and ongoing crises where states and the international community acted as well as failed to act to prevent the escalation of conflict. It was in this context that some states recalled the Brazilian initiative of ‘

[responsibility while protecting](#)

(RwP), with the government of

[India](#)

noting the importance of RwP with regard to monitoring and accountability of international response measures. This was echoed by the government of

[Ghana](#)

, while

[Brazil](#)

emphasized that prevention is at the heart of RwP.

Principal among the discussion was the ongoing crisis in Syria, with governments deploring the commission of war crimes and crimes against humanity that have claimed over 100,000 lives and denouncing the use of chemical weapons during the civil war. In expounding upon the situation in Syria, many states cited the need for a political solution to the crisis as the only means of protecting populations from future atrocities.

The government of

[France](#)

raised its proposal for the permanent five UNSC members to commit to not using the veto in situations where RtoP crimes are imminent or ongoing. Several governments, including

[Switzerland](#)

, expressed support for the recently launched

[Accountability, Coherence, and Transparency](#)

(ACT) initiative to address UNSC working methods, including the use of the veto.

In discussing the obligations of all states to prevent RtoP crimes, the government of

[Uruguay](#)

also recalled that the international community “cannot ignore that it is imperative to address the cases in which this primary responsibility and prevention fails.” Meanwhile, in reflecting on those who view RtoP as a failed tool for prevention, the government of

[Germany](#)

declared “as the Secretary-General has stated...it is not the concept of R2P that is to blame. We should rather look at our individual and collective failure, as States and the international community, when we ask ‘what went wrong.’”

For a minority of states, questions remain on the norm

While the overwhelming majority of interventions expressed their governments’ commitment to RtoP, there were some, including

[Venezuela](#)

, Cuba,

[Malaysia](#)

and

[Sri Lanka](#)

, that expressed the belief that RtoP was not an agreed-upon concept and as such the UNGA must continue to refine it before operationalization. Some interventions submitted that the report, both in its focus on risk factors and policy options, risked expanding the scope of RtoP, while others feared that the norm would permit unilateral military action. In response to some of these concerns, Dr. Welsh recalled in her closing remarks that RtoP focuses solely on the four crimes and violations and must not be expanded, and that there are internationally agreed-upon standards that are to be used by all Member States in deciding when and how to act in response to RtoP crimes. She also made special note of the wide range of policy options that exist on the response spectrum, with the coercive use of force being just one tool among many more desirable options.

Lastly, numerous interventions welcomed the proposal within the UNSG's report to hold follow-up meetings with Member States, regional bodies, and civil society to further engage on the vital issue of prevention. With regard to future dialogues, several states noted the importance of ensuring the early publication of the next report so that the next meeting could be held in spring 2014. The government of Guatemala called for discussions on having the RtoP dialogues placed on the formal UNGA agenda. The majority of states also welcomed the proposal of pillar two, or international assistance to build state capacity for prevention, as the focus of next year's report and dialogue, with the Czech Republic encouraging future consideration of the relationship between the rule of law and RtoP as a dialogue theme.

The International Coalition for the Responsibility to Protect will publish the statements delivered at this dialogue and well as provide an overview of the main themes raised during the informal meeting.

Please continue to check this page for updates.

[Secretary-General Ban Ki-moon](#)

[Deputy Secretary-General Jan Eliasson](#)

[Cecile Kyenge, Ministry of Integration, Italy](#)

Maria Cristina Perceval, Permanent Representative of Argentina to the United Nations

Dr. Jennifer Welsh, Special Adviser to the Secretary-General on the Responsibility to Protect

[European Union](#)

[Brazil](#)

[Panama](#)

(in Spanish)

[Rwanda](#)

[France](#)

[Republic
of Korea](#)

[United Kingdom](#)

[Morocco](#)

[Hungary](#)

[Switzerland](#)

[United States](#)

[Singapore](#)

[Australia](#)

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[Armenia](#)

[Egypt](#)

[China](#)

[Papua New Guinea](#)

[Togo](#)
(in French)

Indonesia

Global Centre for the Responsibility to Protect International Coalition for the Responsibility to Protect

* Burundi (prepared statement, but did not speak)