

Remarks of the Special Adviser to the Secretary General on the Responsibility to Protect, Jennifer Welsh

**General Assembly
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Mr. Deputy Secretary-General, Special Adviser Dieng, fellow panelists, Excellences, ladies and gentlemen.

It is a great pleasure for me to address you today in my new capacity as the Secretary-General's Special Adviser on the Responsibility to Protect. I thank the Secretary-General for his confidence and trust, and look forward to working with Member States, civil society, and key organs within the United Nations in advancing the commitment made in 2005 to protect populations from mass atrocity crimes.

The Secretary-General has issued five reports on the Responsibility to Protect, and the General Assembly has held four lively debates. Our discussion today is on Pillar One: the responsibility of states to protect their own populations. It is the foundation and starting point for discussing the Responsibility to Protect, and it reminds us all that this norm is not only directed at building foreign policy capacity, but is also – crucially – at strengthening domestic capacity. As our panelists today have outlined, no society is completely immune to the risk factors outlined in this report. Responsibility begins at home.

Like other debates, I hope this one will enable Member States to define the contours and sharpen the understanding of Responsibility to Protect. I'd like to thank all those who input into and shaped the content of this report – particularly those who participated in the widespread consultation both with Member States and with civil society. I'd also like to thank the previous Special Adviser on the Responsibility to Protect, Edward Luck, for his wisdom and dedicated work in advancing Responsibility to Protect, and the staff within the Office of the Special Advisers.

This report reminds us that, at its heart, Responsibility to Protect is designed to support states in the fulfilment of their sovereign responsibilities. The Responsibility to Protect does not and should not seek to create a hierarchical structure, in which the international community stands above and outside of states; rather, at its core, it reaffirms a principle that was a critical piece of the original UN Charter – namely, sovereign equality. As sovereign equals, states have both reciprocal rights and responsibilities, and participate – as peers – in the creation of international rules and institutions. This principle of sovereign equality has served as an important baseline for international cooperation throughout the life of the UN. It has also served as an expression of the self-determination of societies across all continents.

This report on 'State Responsibility' reflects that spirit of equality and self-determination, by recognizing the variety of ways in which states have sought to live up to their responsibilities to their populations. But it also points out risk factors – identified through extensive research - which all states must understand and assess, in order to facilitate preventive actions to forestall the commission of mass atrocities.

The overarching message of this report is that implementation of the ‘responsibility to protect’ principle requires not only effective response to crises, but also a willingness and capacity to prevent crises from emerging and escalating. The report tries to demystify this notion of prevention – so often discussed, but too rarely acted upon – and to provide concrete steps towards building a preventive capacity.

In particular, the report makes two distinctions that will be important to keep in mind in the future implementation of Responsibility to Protect:

First, it shows that while mass atrocity crimes often occur in the context of armed conflict, they can also occur in ‘peacetime’. In short, by preventing or ending conflict we do not necessarily do away with the threat of such crimes. This point becomes even more important as trends show an overall decline in both inter-state and civil conflict over the past few decades. This trend, however, positive, does not necessarily mean that populations are safer. State-sponsored suppression or other forms of violence, short of armed conflict, remain significant threats to peoples across the globe.

Second, while the protection and promotion of human rights is a key part of the preventive dimension of Responsibility to Protect, mass atrocity crimes also have distinctive features and dynamics, and require particular kinds of analysis. We must do more, both within the UN and broader civil society, to understand the relationship between human rights promotion and atrocity prevention, and to ensure that the machinery for both efforts is mutually reinforcing.

The report before you recognizes the variety of ways in which states have already sought to live up to their responsibilities to their populations. States must continue to make their own national effort to prevent atrocities, within their own borders. But the Secretary-General’s 2009 Implementation Report on Responsibility to Protect calls on them to do more: it calls upon all of you to participate in regional and international efforts to assist other states in fulfilling their responsibilities.

The goal of all of our efforts must be the creation of resilient, inclusive, and transparent societies, which can work in partnership with regional and international actors to protect populations.

In particular, the report sets out an actionable blueprint for what states can do today, right now, to fulfil their responsibility to protect:

- States can create a national mechanism for atrocity prevention: In this regard, I want to acknowledge the success of the national Focal Points Initiative, led by Costa Rica, Denmark and Ghana, which has now led to some 30 states appointing a key resource to coordinate atrocity prevention efforts inside governments
- States can conduct a national risk assessment, using our diagnostic framework - they can sign and ratify that relevant legal instruments that will combat impunity for atrocity crimes
- They can participate in peer review process of international bodies such as the Human Rights Council
- They can form partnerships with other states, regional organisations, or civil society groups to enhance their knowledge about risk factors and build preventive capacity

- They can participate actively in discussions, at all levels, on how to advance and implement Responsibility to Protect within their own country and the wider UN system

We intend to hold a follow up meeting on this Report's implementation with Member States, early in 2014, so that we can continue the momentum in enhancing States' commitments under Pillar I.

Finally, let me point out that the report we are discussing today also looks ahead - to our next steps in the advancement of Responsibility to Protect. After having discussed Pillars I and III, we are suggesting in the report that it is perhaps time for the General Assembly to consider the second Pillar more carefully: the responsibility of the international community to assist states in fulfilling their responsibilities.

I look forward to hearing from States today on their ideas and priorities for the development of this crucial norm in the months ahead. As the Syrian crisis painfully reminds us, the human costs of a failure to prevent are far too high. We must all continue to do more to live up to the responsibilities outlined by Member States in 2005.

Thank You.