



THE PRESIDENT
OF THE
GENERAL ASSEMBLY

11 September 2017

Excellency,

I am pleased to enclose herewith the summary of the informal interactive dialogue of the General Assembly on the Responsibility to Protect, held on Wednesday, 6 September 2017.

The summary contains the key messages and views shared by panelists, Member States and civil society representatives during the interactive dialogue. It is my hope that the outcome of this dialogue will assist Member States and the UN system in advancing the implementation of the noble principle of the Responsibility to Protect.

I take this opportunity to express my gratitude to the delegations and institutions that participated in the event and supported it in various ways.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in dark ink, appearing to read 'Peter Thomson', written in a cursive style.

Peter Thomson

All Permanent Representatives and
Permanent Observers to the United Nations
New York

**Informal, Interactive Dialogue of the 71st Session of the General Assembly on the
Responsibility to Protect: Implementing the responsibility to protect: accountability for
prevention**

New York, 6 September 2017

PRESIDENT'S SUMMARY

Opening Segment

1. The President of the 71st Session of the United Nations General Assembly, H.E. Mr. Peter Thomson, convened an informal, interactive dialogue on the 2017 Report of the Secretary-General on the Responsibility to Protect: "Implementing the responsibility to protect: accountability for prevention", on 6 September 2017. The dialogue commenced with opening remarks by the President of the General Assembly and by the Secretary-General.

2. H.E. Mr. Peter Thomson noted in his remarks that the meeting provided an important opportunity for the General Assembly to continue its consideration of the responsibility to protect, particularly with respect to advancing its implementation. He observed that the adoption of the responsibility to protect more than a decade ago has not led to the full realization of the principle, and that on too many occasions, action has not been taken in time in response to identifiable precursors to, and risk factors for, atrocity crimes. Pointing out that accountability for this failure to act has been overlooked for too long, he underlined, among other impediments, the failure of governments to commit to building transparent and accountable State institutions or to address early warning signs, as well as the failure of the international community to assist States in fulfilling their responsibility and filling their protection gaps. He called on all Member States to invest in long-term sustainable peace and development in order to address root causes and build resilience. The President of the General Assembly connected these efforts to the effective implementation of the 2030 Agenda for Sustainable Development.

3. The Secretary-General stressed the need for strengthened efforts to prevent atrocity crimes, which are on the rise and are being perpetrated by both State and non-State actors. He emphasized the need to give far greater attention to addressing problems before they spiral out of control. In his view, this requires setting an agenda that includes practical measures. The Secretary-General reflected on the recommendations included in his 2017 report on the responsibility to protect, many of which could be implemented in a short period of time and without major operational or institutional requirements. He alluded to the role of the different inter-governmental organs of the United Nations in the prevention of atrocity crimes and highlighted the value of the proposal by a number of States to include the responsibility to protect on the formal agenda of the General Assembly. He also encouraged Member States to openly discuss the responsibility of the Security Council in the prevention of atrocity crimes. The Secretary-General called for improvement in the use of the three pillars of the United Nations for early warning and prevention purposes, as envisaged by the Human Rights up Front action plan.

Panel Discussion

4. The dialogue was informed by the remarks of a panel composed of the Under-Secretary-General for Political Affairs, Mr. Jeffrey Feltman; the Special Adviser on the Prevention of Genocide, Mr. Adama Dieng and the Administrator of the United Nations Development Programme, Mr. Achim Steiner. In his intervention, Mr. Feltman emphasized that prevention requires not only a strong commitment by Member States but also translation of that commitment into action. He outlined the responsibility of the United Nations Secretariat to provide accurate risk assessments in its briefings to the Security Council, and encouraged Council Members to consider holding a thematic debate on the responsibility to protect. Mr. Dieng reflected on options to better align existing human rights instruments for early warning purposes, including the Universal Periodic Review process. He also emphasized the critical role of national institutions in addressing and responding to early warning signs within their States. Mr. Dieng also underlined the connection between impunity for past atrocity crimes and the risk of their recurrence. Closing the panel, Mr. Steiner expressed the view that failure to address the development needs of populations are often at the heart of the failure to prevent atrocity crimes. He drew a direct connection between implementation of the 2030 Sustainable Development agenda and the prevention of such crimes, and invited Member States to provide long-term assistance to States in need.

Interactive Dialogue

5. 73 Member States, the European Union and five civil society organisations intervened in the dialogue. The Netherlands also delivered a statement on behalf of the Group of Friends of the Responsibility to Protect. Overall, Member States reaffirmed their commitment to protecting populations by preventing genocide, war crimes, ethnic cleansing and crimes against humanity, in line with paragraphs 138 and 139 of the 2005 World Summit Outcome (A/RES/60/1).

6. Member States supported the view that the increased frequency and scale of atrocity crimes and the diminishing respect for international human rights and international humanitarian law call for a strengthened commitment to the responsibility to protect. A number of States emphasized the need to fill the gap between commitment and implementation, and considered that strengthening accountability can be instrumental in achieving this goal. They also emphasized that the primary responsibility to protect populations lies with the State and with State institutions, including national parliaments and Ombudspersons. In this regard, many States expressed support for existing regional and international responsibility to protect and atrocity prevention focal points networks.

7. Member States stressed that prevention under the first pillar of the principle remains the primary tool for implementation. Delegations highlighted the importance of providing international support for these efforts in a manner that strengthens national ownership. A significant number of interventions emphasized the need to address 'root causes' of atrocity crimes. Addressing structural prevention requires increasing social and economic development, strengthening good governance and rule of law institutions, as well as providing for 'transversal inclusion' of atrocity prevention in a range of domestic policies. Member States raised the importance of criminal accountability as a key component of atrocity crimes prevention and response. Many noted the key role played by the International Criminal Court, while also calling

for the establishment and strengthening of effective domestic accountability mechanisms, especially in post-conflict situations. In such situations, States also underlined the importance of building and sustaining effective transitional justice institutions and mechanisms.

8. The dialogue provided an opportunity for Member States to further stress the links between the responsibility to protect and other thematic policy agendas. These included, among others, building and sustaining peace, implementing of the Kigali Principles on the protection of civilians, addressing the current crisis of forced displacement and implementing the 2030 agenda for sustainable development. The importance of continuing efforts to fully integrate the responsibility to protect within the United Nations was emphasized by a number of delegates, including by supporting the Secretary-General's Human Rights up Front initiative and encouraging systematic use of the Framework of Analysis for Atrocity Crimes developed by the Special Advisers on the Prevention of Genocide and on the Responsibility to Protect. Member States welcomed the full inclusion of atrocity prevention within the overall prevention agenda of the Secretary-General. They also highlighted the importance of the Special Adviser's mandates and work in advancing atrocity prevention efforts.

9. Many interventions reflected on the specific recommendations included in the 2017 report of the Secretary-General on the responsibility to protect and considered them as very valuable for strengthening accountability. Member States emphasized the primary role of the General Assembly in advancing the principle, and expressed support for the current practice of annual, informal interactive dialogues by this body. They also expressed their satisfaction at the organization of thematic preparatory panels leading to the 2017 report. At the same time, they generally considered that it is necessary to move from conceptual debates to discussions aimed at achieving the full operationalization of the principle.

10. Many speakers called for the ratification and implementation by all States of relevant international legal instruments, including the Convention on the Prevention and Punishment of the Crime of Genocide and the Rome Statute. There was also wide spread support for the recent initiative, led by Australia and Ghana, to request inclusion of the responsibility to protect on the formal agenda of the 72nd Session of the General Assembly. This would permit on-the-record discussions and facilitate more time for discussion on the subject. At the same time, some delegates questioned the existence of full consensus on the principle in the light of what they perceive as inadequate implementation of third pillar measures to date. In their view, inclusion of the responsibility to protect on the formal agenda of the General Assembly prior to reaching full consensus would be premature.

11. Many delegations considered that the risk of atrocity crimes is increased when the Security Council fails to take action to address situations of concern. Some delegations argued that the use of force, as a tool for implementing the principle of Responsibility to Protect, should be used only as a measure of last resort when all peaceful means have been exhausted, and in accordance with the United Nations Charter. A significant number of speakers underlined their support for the initiative led by France and Mexico that calls for restraint in the use of the veto power in situations of atrocity crimes, and for the Code of Conduct developed by the Accountability, Coherence and Transparency (ACT) Group of Member States regarding Security Council action against genocide, crimes against humanity or war crimes. Others reiterated their invitation to the Secretary-General and to the Special Advisers on the Prevention of Genocide

and on the Responsibility to Protect to bring situations of concern to the attention of the Council. A number of States expressed support for the organisation by the Security Council of open thematic debates on atrocity prevention.

12. States generally endorsed recommendations aimed at strengthening the role of the Human Rights Council in the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity. These include using the Universal Periodic Review process as a tool for risk assessment and for provision of international assistance under the second pillar of the responsibility to protect. They also suggested the inclusion of national focal points in the preparation of Member States' reports to the Council.

13. In looking to the future, Member States reaffirmed the central role of the General Assembly in advancing the responsibility to protect, invited the other inter-governmental organs of the United Nations to further advance atrocity prevention efforts, and encouraged the Secretary-General to report on the implementation of the recommendations contained in his 2017 report. They also invited the Special Advisers on the Prevention of Genocide and on the Responsibility to Protect to consider continuing the practice, initiated this year, of holding thematic panels for Member States in preparation of future reports of the Secretary-General on the responsibility to protect.