

**Informal, Interactive Dialogue of the 70<sup>th</sup> Session of the General Assembly on the  
Responsibility to Protect: Mobilizing collective action: the next decade of the responsibility  
to protect**

New York, 6 September 2016

**PRESIDENT'S SUMMARY**

***Background***

1. The President of the 70<sup>th</sup> Session of the United Nations General Assembly, H.E. Mr. Mogens Lykketoft, convened an informal, interactive dialogue on the 2016 Report of the Secretary-General on the Responsibility to Protect: “Mobilizing collective action: the next decade of the responsibility to protect”, on 6 September 2016. The dialogue commenced with opening remarks by the President of the General Assembly and the Deputy Secretary-General of the United Nations, H.E. Mr. Jan Eliasson.

2. H.E. Mr. Mogens Lykketoft opened the dialogue by noting 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 there was growing consensus on key elements of the principle including that its scope was limited to the protection of populations from genocide, war crimes, ethnic cleansing and crimes against humanity; that the primary responsibility to protect populations lies with national authorities, that prevention must remain a priority for all States and the international community, and that implementation must take place in accordance with the Charter of the United Nations and other established principles of international law. He also alluded to areas on which there is a need for further discussion, including the relationship among the three pillars and the basis for undertaking collective action. He called for practical ways to overcome the obstacles that continue to limit our collective capacity to prevent and to respond to genocide, war crimes, ethnic cleansing and crimes against humanity.

3. The Deputy-Secretary-General reflected on how much has been achieved since the adoption of the responsibility to protect at the 2005 World Summit. This, however, has not prevented unconscionable brutality against civilians around the world, which continues calling for a full operationalization of the principle. In particular, the Deputy Secretary-General raised the need to further integrate a prevention agenda within national and regional frameworks for action, including by strengthening existing institutional capacities. He also encouraged Member States to maximize engagement at the early stages of crises, when the window of opportunity for effective prevention is wider. The Deputy Secretary-General emphasized the need to prevent recurrence by taking concerted action in support of national authorities, most specifically in areas connected to inter-communal dialogue, reform of the security sector, reconciliation and transitional justice.

4. The dialogue was informed by the remarks of a panel composed of the Special Adviser on the Prevention of Genocide, Mr. Adama Dieng, and the two former Special Advisers on the Responsibility to Protect, Mr. Edward Luck and Ms. Jennifer Welsh. Mr. Dieng summarized the main points in the Secretary-General's report, paying special attention to four areas that require prioritization. Namely, the need to further develop and coordinate effective prevention strategies;

the imperative of ensuring timely and decisive response; the need to further prioritize prevention of recurrence; and the call for renewed institutional capacity. Mr. Luck called for an expansion of the ‘political base’ of the responsibility to protect, including strengthened action by the Security Council and by the General Assembly. In parallel, he asked for further involvement of regional and civil society actors in situations in which lack of decision-making by United Nations inter-governmental organs results in failure to respond to situations at risk. Ms. Welsh underlined three priorities to support the agenda for prevention. Namely, addressing barriers for preventive action; learning the lessons of past cases; and fully embedding the responsibility to protect in national policy agendas.

### *Summary*

5. The European Union, 68 Member States (speaking on behalf of 93 Member States) and four 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. 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. In general, 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. They also emphasized that the primary responsibility to protect populations and implement the principle lies with the State.

7. Member States stressed that prevention remains the primary tool for implementation. They noted that effective prevention requires strengthening capacities in the key areas set out in the Secretary-General’s report. It also requires enhancing early warning capacities and strengthening the links between early warning and response mechanisms. Delegations highlighted the importance of providing international support for these efforts in a manner that strengthens national ownership. They also emphasized the importance of partnering with regional organizations and with civil society both in assessing the risk of atrocity crimes and in building effective strategies to counter them.

8. In the area of prevention, a significant number of interventions called for efforts to address ‘root causes’ of atrocity crimes and linked the atrocity prevention agenda with the agenda for the prevention of violent extremism. Member States emphasized the growing challenge posed by non-State armed groups, particularly those that are targeting minority groups and other vulnerable populations.

9. The dialogue also 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, ensuring implementation of the Kigali principles on the protection of civilians, addressing the current crisis of forced displacement, implementing Security Council resolution 1325, ensuring compliance with the Arms Trade Treaty, and implementing the 2030 agenda for sustainable development. The importance of continuing

efforts to mainstream the responsibility to protect within the United Nations was emphasized by a number of delegates.

10. Member States raised the importance of accountability as a key component of atrocity crime 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, particularly in States that have experienced atrocity crimes in the past. Some delegates considered that impunity constitutes a strong precursor of further violence. A number of Member States made specific calls for ratification of the relevant international legal instruments.

11. Member States drew attention to the urgent need to respond to the significant number of current crises that feature acts that may constitute atrocity crimes. A number of them reiterated that the responsibility to protect must be implemented in a consistent manner and that the use of force must be a matter of last resort, authorized by the Security Council, and undertaken in accordance with the United Nations Charter. Some delegates warned of the risk of inadequate implementation of measures under the third pillar, and called for further refinement of the principle to address this particular aspect. Other delegates acknowledged that the three pillars of the responsibility to protect, while not designed to operate sequentially, suggest a path of response that can follow a sequential logic.

12. Many delegations considered that the risk of atrocity crimes is enhanced when the Security Council fails to take action to address country situations of concern. In this regard, a significant number of them underlined their support for the initiative by France and Mexico that calls for restraint in the use of the veto in situation of atrocity crimes, and for the Code of Conduct regarding Security Council action against genocide, crimes against humanity or war crimes developed by the Accountability, Coherence and Transparency (ACT) Group of Member States. A number of delegates considered that increased cooperation between the Security Council, the Human Rights Council and its human rights mechanisms could contribute to enhance the Council's prevention work. Others reiterated their support for the convening of regular briefings to the Security Council by the Special Advisers on the Prevention of Genocide and on the Responsibility to Protect.

13. In looking to the future, Member States reaffirmed the central role of the General Assembly in advancing the responsibility to protect and encouraged the future Secretary-General to continue supporting and providing guidance on this topic. A number of States suggested that inclusion of the responsibility to protect in the formal agenda of the General Assembly would allow for more sustained and systematic consideration of the principle. Others reiterated the call for the adoption of a new General Assembly resolution on the responsibility to protect.