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STATEMENT

On behalf of the European Union

by

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General Assembly Debate on the Responsibility to Protect

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- CHECK AGAINST DELIVERY -

Mr President,

I have the honour to speak on behalf of the European Union.

The Candidate Countries Croatia*, the former Yugoslav Republic of Macedonia* and Turkey, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina and Montenegro as well as Ukraine, the Republic of Moldova and Armenia align themselves with this statement.

Almost ten years ago, in this very room, former Secretary-General Kofi Annan made a plea to the international community to try to find a new consensus, to “forge unity” on how to respond to mass atrocities in situations like Rwanda and Srebrenica – in essence to find a way to counter “gross and systematic violations of human rights that affect every precept of our common humanity”.

At the World Summit Outcome in 2005 the international community forged such unity by agreeing upon the responsibility to protect. We collectively recognised the responsibility of each individual State to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We also collectively recognised the responsibility of the international community, through the United Nations, to help to protect populations from such crimes.

This year, the Secretary-General delivered his first report on how to implement that responsibility. The EU warmly welcomes that important report and this debate, for which our focus should be operationalisation and implementation.

The Secretary-General’s report (A/63/677) brings the concept down to the level of practical implications and forms a platform on which to build concrete measures. From the outset, the Secretary-General is very clear on the fact that, unless Member States decide otherwise, the responsibility to protect only applies to the four specified crimes and violations: namely genocide, war crimes, ethnic cleansing and crimes against humanity. The EU welcomes the Secretary-General’s approach in keeping the scope of the principle narrow, and the range of possible responses deep.

Mr. President,

The report describes the three pillars that together constitute the implementation of the concept: the primary responsibility of States to protect their populations; the vital role of the assistance from the international community to help States shouldering their responsibilities; and the response and responsibility of the international community when a State is manifestly failing to meet its responsibilities.

As to the first pillar, the basic principle of State sovereignty is and should remain undisputed. It should also be recognized that State sovereignty implies not only rights, but also responsibilities and obligations under international law, including the protection of human rights as an essential element of responsible sovereignty. Those obligations of States are firmly embedded in international law – treaty-based and customary law. One of these responsibilities is the responsibility of each State to

* Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.

protect the populations within its own borders - that comes first. The responsibility to protect necessarily encompasses a responsibility to prevent.

Turning to the second pillar, the assistance that should be made available by the international community is not only the humanitarian aid that is crucial once individuals and groups are already affected, but also in this context, very importantly, the assistance available to help prevent manifest risks from developing and build capacities of States to act before risks deteriorate into crises. This is an effort and support that takes a longer-term perspective.

Knowledge of risks is necessary but also the capacity to act on those risks. The link between timely information and the application of instruments that can limit those risks, is a link underlined in the Secretary-General's report. The EU believes this is an area where more could be done, especially as regards the instruments for early-warning, conflict prevention and crisis management. In this regard, we look forward to the Secretary-General's proposal for strengthening the United Nations' early warning capacity, as suggested in the report. In addition, building local mediation and conflict resolution capacities are also essential elements in this process.

The third pillar reminds us that if a situation of genocide, war crimes, ethnic cleansing or crimes against humanity occurs or threatens to occur, and if a State is manifestly failing to protect its populations, then the international community has a responsibility to help protect the populations and thereby also to help maintain international peace and security. It must be absolutely clear that this should, first and foremost, be discharged through diplomatic, humanitarian and other measures, such as support to capacity building and other development activities. But if such measures would be or are proving to be inadequate, enforcement measures through the Security Council or approved by the Security Council should be possible, if needed.

The three pillars are parallel, not consecutive, and the concrete proposals set out in the report underline this as they focus on the first and second pillar. The EU welcomes and supports the steps to implement the responsibility to protect set out in the report, and particularly the Secretary-General's emphasis on the responsibility of States themselves; the importance of early prevention; and helping States build their capacity to shoulder their own responsibilities. The EU also welcomes the way those steps are presented, without losing sight of the individual victims and the human costs of delay or recoil from the international community. We believe that the EU and other regional organizations have important contributions to make here. Regional organizations have a multitude of instruments that are relevant: capacity building in areas of conflict prevention, development and human rights, good governance, rule of law and judicial and security sector reform are perhaps the most obvious candidates. And we all have to be ready to assist. The principle has to be integrated in our overall normative framework. Not long ago, the UN and the African Union were able to support Kenya to prevent a frightening crisis from turning into the worst possible nightmare. This is the example to follow.

The EU is ready to contribute as a regional organization, as a global actor and to the United Nations in the efforts ahead.

Mr. President,

Before I conclude, let me come back to what this debate is really about. It is about how to put an end to the most serious crimes that have plagued and still plague humankind. It is about finding the means and the will to stop what has been correctly labelled the "recurring nightmare of mass atrocities". Our common history, including the recent past on our own continent, shows us that this is a principle of concern to all and demands our concerted efforts.

As characterised by the Secretary-General, the report at hand "is the critical first step towards turning the authoritative and enduring words of the 2005 World Summit Outcome into doctrine, policy and, most importantly, deeds." It is therefore important that the debate on the responsibility to protect here at the United Nations continues. The EU also looks forward to further and more detailed reports by the Secretary-General on the implementation by the Organization and Member States of our common responsibility. It is our duty to further operationalise this responsibility of ours in order to create a world order where inactivity in the face of mass atrocities becomes something of the past.

Thank you, Mr. President.