

## Statement by Dr. Edward C. Luck at the Thematic Discussion in the UN General Assembly on “Ten Years of the Responsibility to Protect: From Commitment to Implementation”

*\*As delivered by Dr. Edward C. Luck, United Nations Special Adviser on the Responsibility to Protect from 2008 to 2012, at a thematic panel discussion convened by the President of the UN General Assembly. Dr. Luck currently serves on the International Advisory Board of the Global Centre for the Responsibility to Protect. He is also Arnold A. Salzman Professor of Professional Practice in International and Public Affairs; Director, Specialization in International Conflict Resolution; School of International and Public Affairs, Columbia University.*

It is a distinct honor to speak to this august body about possible next steps in our common struggle to prevent atrocity crimes and to realize the ambitious goals of the Responsibility to Protect. The passion, energy, and intellect of my fellow panelists have contributed immeasurably to this journey. It has been a pleasure to travel it with them.

Much has already been said, so I will just flag five of the innovative elements of paragraphs 138 and 139 of the 2005 Outcome Document. They deserve further attention in the demanding years ahead.

First was the assertion that all ‘populations’ have to be protected. In an era of divisive sectarian politics, governments need to be reminded that their protection responsibilities extend to all people on their territory, regardless of their legal status, citizenship, political leanings, or ethnicity. At the same time, armed groups must be held to the same standards in any territory that they control. Leaders—whether of states or non-state armed groups—must be held accountable.

Second is the commitment to preventing the ‘incitement’ of the four crimes. This key provision is too often overlooked, though it forms an essential plank of an effective strategy for early warning, for preventing the targeting of vulnerable groups within our societies, and for curbing the recruitment and mobilization of individuals and groups to commit such horrendous crimes. To defeat violent extremism, all of us, including the United Nations, will have to get much better at our own messaging to and engagement with those who might be tempted to respond to such appeals. Defeating violent extremism demands the retention of, not the retreat from, the human rights standards enshrined in our Charter.

Third, we need to resist the temptation to assume that when the Outcome Document refers to the responsibilities of the ‘international community,’ it was referring to someone else. Collective responsibility depends on individual responsibility. We each must do our part. With the rise of violent extremism, everyone is vulnerable. No one can say, as many did a decade ago, that this was an African problem, or that R2P is fine, but it does not apply here.

Likewise, if we are to get early warning, assessment, and prevention right, we will need to listen more closely to local civil society and to give the vulnerable a greater sense of agency. Where R2P has made a quiet difference—in places like Kenya, Kyrgyzstan, Guinea, and Côte d’Ivoire—regional and sub-regional actors were key players in shaping timely and effective responses. They must be more than just our silent partners. In several of these situations, early engagement under Chapters VI and VIII of the Charter did not require prior approval by the Security Council. As the Secretary-General rightly stressed, our common strategy should be based on early and flexible response tailored to the circumstances of each situation. No “timely and decisive” option, including targeted collective measures under Chapter VII and Pillar III, should be off the table when thousands of lives are at stake.

Fourth, paragraph 139 speaks of assisting States “under stress before crises and conflicts break out.” That provision encouraged me to propose the second, assistance, pillar of the Secretary-General’s 2009 implementation strategy. Building on the sensible and wide-ranging recommendations in the Secretary-General’s 2014 R2P report, there is much that this Assembly—as well as ECOSOC, the PBC, and the Human Rights Council—could do to help build the capacity of governments, civil society, and the private sector to make both the occurrence and the re-occurrence of atrocity crimes less likely. Since the best predictor of future atrocities is past ones, we need to focus more energy and resources on our collective Responsibility after Protecting (RAP)—on making sure that the institutions, legislation, and values are in place to discourage further rounds of violence. That has been a prime lesson from Libya.

My fifth and final point relates directly to the work of this Assembly. Unlike many advocates, I welcomed the Outcome Document’s call for the Assembly to “continue consideration” of R2P. Seeing this as an opportunity to refine and strengthen the principle, as well as to enhance Member State ownership of R2P, I suggested that we initiate an annual series of reports and informal dialogues on different aspects of the emerging norm. These cycles have more than met my expectations, and I commend the President of the General Assembly for convening today’s session.

But I must ask why, after seven sets of reports and interactive dialogues, as well as eight years of applying R2P to specific situations, has this Assembly failed to pass a substantive R2P resolution or to provide funding for the Special Adviser and this critical work? What questions about the nature of R2P could possibly remain unanswered? For all of the supportive words, this is one deed that remains undone.

In closing, let me again thank the President and Special Adviser Adama Dieng for this opportunity. I look forward to this dialogue and, as so often in the past, to learning from the Member States.