

Summary: 11 September 2013, New York - European Union Intervention delivered by Mr Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations, at the United Nations General Assembly Informal interactive dialogue on the "Report of the Secretary-General on the Responsibility to Protect: State Responsibility and Prevention"

Full text (abridged version delivered due to time constraints)

Mr President,

Thank you for giving the floor to the European Union.

We greet the new Special Adviser for Responsibility to Protect, Ms. Jennifer Welsh, and we thank the Special Adviser on the Prevention of Genocide Mr. Adama Dieng for his work on this topic and the preparation of this report.

We thank the Secretary-General for his report devoted to the State Responsibility and prevention. The report provides a good overview of potential risks for atrocity crimes and violence and measures that States can and should take to lower those risks.

We would also like to commend the Office of Special Adviser for the inclusive and transparent approach to prepare this report. The regional consultations, like the one held in Slovenia, as well as the meetings of regional groups held in New York is a practice that the Office should continue in the future.

Before asking the distinguished panellists some questions, let me outline some general thoughts and examples on how the EU contributes to atrocity prevention.

Mr President,

The EU considers the aim to prevent the incitement, commission and execution of the crimes of genocide, war crimes, ethnic cleansing and crimes against humanity as being at the heart of the responsibility to protect. Unfortunately, we know that the failure of effective national, regional and global prevention efforts and comprehensive action can lead to dramatically deteriorating situations and rapidly narrowing response options.

In supporting national efforts to protect populations the EU promotes respect for human rights, the rule of law and space for an active civil society through human rights education, protection of the rights of persons belonging to minorities, an effective and independent judiciary, and media pluralism as key components of conflict prevention. We also recognise that these atrocity crimes affect men, women, girls and boys differently.

At home, and in its neighbourhood, the EU is working actively to prevent violent conflict and encouraging the continued development of our continent in a peaceful and democratic manner. Encouraging judicial, human rights and economic reform to modernise state institutions and to enable better protection of the rights of persons belonging to minorities through legitimate and effective State institutions and civil society is a key component of the EU's neighbourhood policy, but also the EU's accession negotiations process. In Eastern Europe and the Balkans we have seen the positive results of this, and these experiences underline the importance of the leverage that countries can have on their neighbours to preventing atrocity crimes. Indeed, the EU itself is a successful example of how regional organisations can strengthen countries' capacities to prevent the recurrence of mass atrocity crimes.

The European Union's development assistance instruments contribute to address the root causes of conflict and insecurity by deploying a mix of diplomatic, crisis management, humanitarian, democracy, human rights and other instruments to develop a robust prevention and response framework.

To be successful, any measures, policies and instruments used in the aim of prevention must be deployed as part of a comprehensive approach and based on a thorough assessment of each situation. The EU has put in place an Early Warning System - currently being piloted in the Sahel - to identify risks of future conflict, and ensure timely upstream responses are put in place.

The existence of effective accountability mechanisms at national level and the International Criminal Court are key to prevent and deter the commission of further atrocities. To this end, support and cooperation from all stakeholders must be forthcoming. At the EU level, a network of contact points in respect of persons responsible for atrocity crimes facilitates cooperation and assistance between the Member States' investigation and prosecution authorities.

At regional level, the EU engages in regular dialogue on these matters with the OSCE, Arab League, African Union, and civil society with the aim of coordinating activities and undertaking joint analyses of concrete situations. The recommendation to appoint National Focal Points is a welcome suggestion as their interaction provides an additional venue for the sharing of experiences and best practices.

Mr President,

As expressed by Special Advisers Dieng and Welsh, we are also concerned by the rhetoric of political and religious leaders in the context of the conflict in the Syrian Arab Republic. Such rhetoric, when it constitutes incitement to violence, could exacerbate the already disastrous situation in the region; lead to further war crimes and crimes against humanity and fuel tensions between different groups both in Syria and elsewhere in the region.

The continued intense suffering of the Syrian people is unacceptable and those responsible for crimes committed must be held to account. The 21 August chemical attack in the outskirts of Damascus, killing hundreds of people, including many civilians and children, was a blatant violation of international law and a crime against humanity. This atrocious act runs contrary to all values and principles shared by the international community. In the face of this cynical use of weapons of mass destruction, the international community cannot remain idle. We have to show that such crimes are unacceptable and will not be tolerated, to show that there can be no impunity, and to prevent creating a dreadful precedent for the use of

chemical weapons in Syria again, or elsewhere. We recall the responsibility of the perpetrators of attacks of this type and the role of the International Criminal Court in investigating and judging such acts. Our collective commitment is and was to agree on ways to prevent and end gross and systematic violations of human rights and International Humanitarian Law.

Mr President,

In closing, we would like to submit the following questions to the Panellists:

- How do you see the different parts of the UN system coming together in a comprehensive approach to support preventive efforts?
- What lessons can be learned from the Peacebuilding commission as a prevention mechanism to avoid new conflict or relapse into conflict and how these lessons might be implemented further afield?

Let me finally express our support the Secretary General proposal of a follow-up meeting with Member States, regional and sub-regional organisations and civil society on the status of the implementation of this report's recommendations.

Thank you.