

Statement of Belgium  
Unofficial Translation from Published Statement  
11 September 2013

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Belgium associates itself completely with the EU's declaration.

We have received with much interest the Secretary-General's report. The highlighting of factors that can lead to mass atrocities and of concrete solutions to diminish the risk of their being committed grants each Member-State as many tools to identify and enact its obligations in the name of the Responsibility to Protect.

Allow me to remind you that Belgium attaches particular priority to the support of the concept of the Responsibility to Protect to the prevention of mass atrocities. We thank the Secretary-General and the President of the General Assembly for convening this informal debate on First Pillar obligations, namely the first and permanent responsibility of the State to protect its populations for crimes of genocide, crimes against humanity, war crimes, and ethnic cleansing.

During the year we have had to note that the very concept and our solemn implementation of the Responsibility to Protect are met with substantial challenges. Belgium thus insists on repeating that this international norm, whilst fragile, is quite alive. It is our duty to develop it – with particular attention to the preventive aspect – and reinforce it.

1. Firstly, I wish to succinctly share a few of the lessons learned from the implementation in Belgium of mechanisms aiming to reinforce this first responsibility of the State. They answer to the needs of a multicultural State, with a plurality of opinions, of societal visions, of ways of expression, and address the tensions that can derive from that. As an example, I shall only mention:

- The constitutional protection of minorities, which ensures the serenity of debates, each social group being aware that its rights will not be infringed upon.
- The establishment of a Centre for the equality of chances and the fight against racism, which aims to promote equality and the fight against discrimination.
- The introduction of legislation incriminating hate speech, as well as incitement to discrimination speech.
- The transcription within national law of international obligations to prosecute the authors of crimes of genocide, of war crimes, and of crimes against humanity, or those who incite such crimes. And, beyond the existence of those laws, their concrete implementation is what matters. Entrusting the application of such laws to specialized police services and magistrates, who will prioritize judicial prosecution, is a token of success. Civil society can and must also play a crucial role in monitoring and taking to court such acts which can ignite relations between various social groups.

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- Belgium has recently nominated a R2P Focal Point, who will examine how we can improve our efforts of atrocious crime prevention. She is ready to share her experience with member-States who are considering the nomination of a Focal Point.

Beside the development of national prevention mechanisms, it is also indispensable to provide ongoing support of the development and expansion of international and regional prevention mechanisms. On this subject, I wish to underline the importance of strong cooperation with Special Procedures assumed by the Human Rights Council, which have an important role as early warning and prevention mechanism. In this respect, granting permanent invitations to those with a Special Procedure mandate can be cited as another measure to face atrocious crimes...

Belgium is also active within the framework of the Peacebuilding Commission, and reckons that it also can play a preventive role as an early warning system. In working in tight collaboration with local partners, the specific configurations of the Peacebuilding Commission can acquire a unique perspective on particular situations and can thus in good time mobilize, inform, and advise national actors and the international community in an appropriate manner. In this respect, I wish to solicit the panelists' opinions on such a preventive role for the Peacebuilding Commission.

2. Secondly, I must mention international current affairs and, more particularly, the conflict in Syria. The First Pillar of the Responsibility to Protect, a concept endorsed in the World Summit of 2005 et subsequently repeated a number of times, ensures that with the State lies the first and permanent responsibility to protect its population.

In Syria, this responsibility thus rests first and foremost on the Syrian State, which must namely apply, just like any other party in an armed conflict, all the norms of international humanitarian law, obviously flouted.

Another aspect deriving from this First Pillar is the fight against impunity and, in the Syrian case, in particular impunity regarding crimes committed during this conflict which has been devastating the country for over two years. Today, the International Criminal Court is in the best position to fulfill this mission. Belgium wishes, once again, during this informal debate, to repeat the appeal made to the Security Council in January of this year, in a letter co-signed with fifty-seven other Member-States, to refer the Syrian situation to the International Criminal Court.

3. Finally, I wish to thank the Special Adviser for the Prevention of Genocide, Mr. Adama Dieng, for preparing this report. In the name of my country I would also like to take advantage of this occasion to welcome the new Special Adviser for the

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Responsibility to Protect, Ms. Jennifer Welsh. We are readying ourselves with the greatest interest to a good cooperation.