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Interactive Dialogue on Responsibility to Protect

Swiss Statement

presented by
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to the United Nations

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Mr President,

Switzerland welcomes the report of the Secretary-General on the role of regional and subregional arrangements in implementing the responsibility to protect. The aim of this joint report drafted by the special advisors on the prevention of genocide and on the responsibility to protect, is to consolidate a common approach and to enable the formulation of more systematic and timely prevention strategies.

The report stresses to what extent the creation of regional and sub-regional mechanisms is crucial in supporting prevention efforts undertaken by the States, as well as in adapting and implementing multilateral strategies. Switzerland shares this view, and we would like to highlight three points.

1) Legitimacy is a decisive factor for preventive action. It is strengthened further when such action is in line with the prevailing social and cultural contexts of the affected regions.

2) Regional implementation of the responsibility to protect has the additional advantage of providing direct access to information, facilitating therefore a swift deployment of proximity responses. It also enhances the early use of a multitude of civilian instruments, including facilitation, mediation, good offices and political dialogue.

3) Finally, the report shows that the responsibility to protect is first and foremost a matter of responsible sovereignty. In the context of fragile states and countries affected by conflict, however, security, the rule of law, good governance and socio-economic development must be strengthened in order to forestall a return to a pernicious cycle of violence. It likewise falls to international stakeholders to act responsibly by improving the coordination and effectiveness of their efforts, in a spirit of partnership and mutual respect with national and regional stakeholders.

Mr. President,

Switzerland firmly believes in the importance of the regional approach, a position that is reflected in its commitment of many years, in cooperation with Argentina and Tanzania, to organizing regional forums on the prevention of genocide and other atrocities. The three regional forums that have already taken place - in Buenos Aires, Arusha and Berne, respectively – provided an opportunity to address these issues with the governments of the regions concerned.

These fora have highlighted the variety of best practices that currently exist in a wide range of contexts, the importance of intra-regional relations, and the ability of regional entities to devise constructive prevention strategies. An excellent example is the International Conference on the Great Lakes Region (CIRGL), which is committed to developing prevention strategies that can subsequently be incorporated into existing structures. This process holds great promise and, in particular, reminds us that two of the key factors behind the success of preventive action are political will and local ownership. These fora also showed that responsible sovereignty and the prevention

of mass atrocities are the result of permanent dialogue between numerous stakeholders.

Switzerland learned several lessons from these regional fora, which we would like to share with you.

- First, the fight against impunity goes hand in hand with prevention. If the preventive impact of international justice is to be strengthened, a set of instruments must be developed that enable impunity to be combated more systematically. Recently, the international community has for example repeatedly used investigation committees and fact-finding commissions. It is important from the outset that the mandates of such commissions are formulated in unambiguous terms, that their procedures are well designed and that the nature of any links they may have to judicial bodies, such as the International Criminal Court, is clearly defined.
- Second, the respect and active promotion of human rights is the aspect of responsible sovereignty that has the best preventive effect. We believe that the inclusion of prevention-related indicators in the Universal Periodic Review (UPR) of the Human Rights Council would improve the detection of high-risk situations and would send a clear message of strong commitment to prevention.
- Third, and finally, these regional meetings also identified the need to designate national focal points for atrocity prevention within the global prevention architecture, which would help strengthen links between the national, regional and international levels of intervention. It is also important that these focal points are afforded sufficient legitimacy and are equipped with the power to convene, coordinate and communicate. It is only by narrowing the gap between early detection efforts and the decision-making process, that atrocities will be best prevented which in turn will contribute to avoid the need of resorting to drastic measures, such as the use of force.

Mr. President,

Convinced of the usefulness of such an instrument, Switzerland plans to establish its own national focal point. It will head up a task force that brings together the competent offices on matters of diplomacy, public international law and development cooperation. The combination of both mandates of prevention and of fighting impunity is a message in itself, and we firmly believe that an effective fight against impunity can contribute to prevent atrocities.

Thank you.