

DISCUSS WITH EXAMPLES, HOW AND WHY MAJOR INTERNATIONAL
ACTORS HAVE BEEN PERCEIVED AS FAILING THE VICTIMS OF
GENOCIDE.

WORD COUNT: 2497

After the Second World War with the liberation of the Nazi concentration camps, and the realization of the extent and the horror of the Holocaust with the 'Final Solution', the International Community vowed 'Never Again.' However, since the Holocaust there have been a series of Genocides, in which it can clearly be seen that these international actors not only have failed to live up to their promise to prevent genocide, but have also failed to help the victims in a number of vital ways. This essay will first look at the meaning of genocide and the statement of intent made by the UN in its Convention on the Prevention and Punishment of the Crime of Genocide, then it will go on to examine the various ways in which these international actors have been perceived as failing the victims of genocide, namely through failure to recognise the genocide, denial that what was taking place was genocide, failure to act to prevent the killing, failure to intervene, complicity, active involvement and failing to punish the perpetrators and those responsible. In order to explore this it will be key to look at specific examples of genocide in which the victims are seen as having been failed; and the key areas referred to will be the Bosnian, Rwandan and Armenian genocides.

The term 'genocide' was created by Raphael Lemkin from the Greek word 'genos' meaning race or tribe and the Latin 'cide' meaning killing.¹ The term is defined as *"a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves."*² This definition was built upon by the United Nations in the 'Convention on the Prevention and Punishment of the Crime of Genocide', with the intention of clarifying the phenomenon in order to recognise and prevent it in the future as well as to take the necessary steps that should be taken in any further cases. It was decided that:

*"genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, such as (a) Killing members of the group; (b) Causing serious bodily harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group."*³

It is important to note that the Convention also states that *"any Contracting Party may call upon the competent organs of the United Nations to take such action*

¹ R Lemkin, *Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government, Proposals for Redress*, (Washington DC, 1944) p.79

² *ibid* p.79

³ United Nations (1948) Convention on the Prevention and Punishment of the Crime of Genocide, in Roberts, A. and R. Geulff (eds.) *Documents on the Laws of War*, (Oxford, 1999) pp. 181- 94, Article II

*under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article III*⁴ as it is largely felt that the states and signatories of the United Nations and the Charter, fell short of their duties stated in the convention.

The first key way in which International actors can be perceived to have failed is in their initial failure to acknowledge killing and the destruction of national groups is going on at all- a reluctance to use the term genocide to describe what manifestly is genocide. While the intentions of the United Nations definition are clearly laudable in their wish to protect innocent groups of people, Beth van Schaack suggests the legal definition contained within it leaves a lot of scope to miss out certain groups⁵ (for example the professional classes in Cambodia.) This allowed international actors to use these loopholes to fail victims of what are clearly instances of genocide in order to protect their own political and economic interests and avoid taking responsibility. Michael Barnett goes further in his book, 'Eyewitness to a Genocide: The United Nations and Rwanda'⁶, when he says that not only was the Security Council slow to recognise the Rwandan Genocide but that it "[further] *disgraced itself by its refusal to call it by its proper name*"⁷, hiding behind the legal terminology of the Genocide Convention fearing that by acknowledging the genocides as genocides they would be obliged by law to intervene.

⁴ *ibid* pp. 181- 94, Article VIII

⁵ B. van Schaack, 'The Crime of Political Genocide: Repairing the Genocide Convention's Blind Spot', in *The Yale Law Journal*, Vol. 106, No 7 (May, 1997), pp.2269

⁶ M. Barnett, *Eyewitness to a Genocide: The United Nations and Rwanda*, (New York, 2002)

⁷ *ibid* p.157

There is substantial evidence to show that the Security Council knew about other instances of genocide. Melvern reports the New Zealand ambassador Colin Keating trying to persuade the Council Members to officially recognise the fact of the Rwandan genocide, but the British, Americans, and Chinese were against the use of the word. *“He believed that if recognition could be achieved, the council would be faced with an obligation, under the 1948 convention, to stop the killing... They produced a statement which quoted directly from the genocide convention, but did not itself use the word ‘genocide...’ the nature of the targets was not clearly specified.”*⁸ This demonstrates the UN’s knowledge of the situation and what was going on but also their unwillingness to get involved and of admitting and naming it as genocide.

The second important form of failure is denial or misrepresentation of facts. In the case of the Armenian genocide, there was a clear denial by the perpetrators, in this situation Turkey, and subsequently reinforced by its ally America, that the genocide ever took place.⁹ What is worse according to Cohen, *“The Turkish government uses public relations agencies to produce propaganda and disinformation, instructs diplomats on denial techniques, tries to censor text books, closes archives and allegedly forges documents, and pays academics to*

⁸ L. R. Melvern, ‘*The Security Council: Behind the Scenes in the Rwandan Genocide*’ in Genocide, War Crimes and the West, History and Complicity, A. Jones (ed.), (New York, 2004) pp. 262-263

⁹ S. Cohen, *States of Denial: Knowing about Atrocities and Suffering*, (Cambridge, 2001) p.134

*discredit scholarship.*¹⁰ The motivation for this denial on the part of The United States was to prevent and “*strain Turkish-American relations to a dangerous point... and because of perceived threats to US economic and strategic interests.*”¹¹

A third key aspect was the failure to prevent genocide from occurring or developing. An important question has to be how much did the international community know? In terms of Rwanda, Krosiak argues that France was very well informed about the deteriorating situation prior to and during the genocide and that not only was it heavily involved on the ground but that it maintained good relations with the elites that eventually perpetrated the genocide. Furthermore it was more than capable of intervening both militarily and politically on behalf of those victimised by the government.¹² He goes on to give as reasons for the failure to do anything to prevent this genocide as “*France’s political commitment to the ruling regime resulted in relative indifference towards the massacres... the only gesture made towards the victims arose from a perception that France’s reputation was in danger.*”¹³

After the Rwandan genocide in 1998 Bill Clinton visited Rwanda and apologised, claiming that he and others had not quite understood what was happening until it was too late¹⁴. However, Obershall clearly disproves this when he states, “*The*

¹⁰ *ibid* p.134

¹¹ Phillip N. S. Rumney, ‘Review: Getting Away with Murder: Genocide and Western State Power’, in *The Modern Law Review*, Vol. 60, No. 4 (July., 1997), p.606

¹² D. Krosiak, *The Role Of France In The Rwandan Genocide*, (London, 2007) p.4

¹³ *ibid* p.107

¹⁴ M. Barnett, *Eyewitness to a Genocide: The United Nations and Rwanda*, (New York, 2002) p.153-154

preparations for genocide and the already ongoing ethnic violence were observed by the diplomatic corps, human rights and other NGO's, UN agencies, and religious organizations."¹⁵ Valentino offers a possible reason for America's reluctance to step in to attempt to prevent the killing, *"still reeling from its experience in Somalia, (a few years before) the Clinton administration had no stomach for another intervention in Africa."*¹⁶

The Fourth way in which international actors have failed the victims of genocide is in their failure to intervene. When the killing began in Rwanda the United Nations had two thousand five hundred troops on the ground and despite UNIMAR's General Dallaire pleading for a well-equipped battalion to halt the slaughter the UN not only ordered its forces not to protect civilians but also ordered that all but two-hundred and seventy troops be withdrawn, arguing that they were primarily a peace keeping force.¹⁷ Barnett explains this reasoning in that the UN felt another failed intervention could result in its breakdown and therefore *"the concerns for the organization overshadowed, drove, and framed the debate."*¹⁸ But that also there was also an organizational culture present and this combined with the bureaucratic interests resulted in indifference and a delay in response.¹⁹ The failings of the Security Council are in his opinion a result of

¹⁵ Anthony Obershall, 'Preventing Genocide', in *Contemporary Sociology*, Vol. 29, No. 1, Utopian Visions: Engaged Sociologies for the 21st Century (Jan., 2000) p. 3

¹⁶ B. A. Valentino, 'Review: Still Standing by: Why America and the International Community Fail to Prevent Genocide and Mass Killing', in *Perspectives on Politics*, Vol. 1. No. 3 (Sep., 2003), p. 570

¹⁷ M. Barnett, *Eyewitness to a Genocide: The United Nations and Rwanda*, (New York, 2002) p.1-2

¹⁸ M. Barnett, *'The politics of Indifference at the United Nations and Genocide in Rwanda and Bosnia'*, in *This Time We Knew: Western Responses to Genocide in Bosnia*, T. Cushman and S. G. Mestrovic (eds.) (New York, 1996) p.130

¹⁹ *ibid* p.151

the *“the primacy of state interests’ [and] the reason for the united nations refusal to come to the defence of civilians it was mandated to protect.”*²⁰

However the UN was not alone in its refusal to send troops. American Chairman of the Joint Chiefs of Staff, General Colin Powell rather aptly summed up America’s political stance of indifference in the following terms, *“I will not agree to commit American men and women to an unknown war, in an unknown land, for an unknown cause, under an unknown commander, for an unknown duration.”*²¹

This also implies that the American lives were viewed as more valuable than the victims in Africa²². What is more America not only refused to send troop to intervene but also used its superpower status to influence other member states within the UN to do the same²³. Peter Ronayne, suggests that the reason for this was because *“President Clinton feared a potentially costly foreign policy issue that could weaken him politically and jeopardize his initiatives at home”*²⁴

The United Nations also failed to protect the victims when they had the opportunity to. The Bosnian conflict provides a key example of this, when the Serbs launched a genocidal assault on the safe haven in Srebrenica in the summer of 1995, killing 8,000 men²⁵ in which the *“Dutch peacekeepers... were forced to surrender the civilians under their protection to general Mladic’s*

²⁰ *ibid* p.151

²¹ L. R Melvern, *A People Betrayed: The Role of The West in Rwanda’s Genocide*, (London, 2000) p.191

²² S. Power, *“A Problem From Hell”*, (London 2003) p.381

²³ B. A. Valentino, ‘Review: Still Standing by: Why America and the International Community Fail to Prevent Genocide and Mass Killing’, in *Perspectives on Politics*, Vol. 1. No. 3 (Sep., 2003), pp. 571

²⁴ P. Ronayne, *Never Again? The United States and the Prevention and Punishment of Genocide Since the Holocaust*, (Oxford, 2001) p.121

²⁵ *ibid* p.111

*executioners, knowing full well the outcome.*²⁶ Cushman and Mestrovic offer the pessimistic explanation for this, that, *“if Bosnian Muslims are fundamentalist, this places them outside enlightenment rationality and, as such, they cannot be expected to act in a civilized manner or are an actual threat to western civility. Serbian ‘ethnic cleansing’ is thus conceptualized as a service to Europe since it guards against the persistent Islamic fundamentalist threat to modernity.”*²⁷ On the other hand, Barnett suggests that the troops were merely there for show and that *“by turning to the United Nations, the West could give the appearance of engagement and offer some limited assistance without having to become fully implicated in the conflict.”*²⁸

The International community also failed the victims in Bosnia by preventing them from defending themselves. The civilians were left defenceless against the Serbian Military, the perpetrators of the genocide, for almost four years because of an arms embargo imposed on them by the west.²⁹ Cushman and Mestrovic argue that this was the result of a UN that wanted to remain impartial and that the rationalisation was that, *“all sides are potentially bad, so an increase in weapons would ‘escalate the violence.’”*³⁰ In addition they said, *“If western weapons and*

²⁶ Anthony Obershall, 'Preventing Genocide', in *Contemporary Sociology*, Vol. 29, No. 1, Utopian Visions: Engaged Sociologies for the 21st Century (Jan., 2000) p. 3

²⁷ T. Cushman and S. G. Mestrovic, 'Introduction' in *This Time We Knew: Western Responses to Genocide in Bosnia*, T. Cushman and S. G. Mestrovic (eds.) (New York, 1996) p.29

²⁸ M. Barnett, *'The politics of Indifference at the United Nations and Genocide in Rwanda and Bosnia'*, in *This Time We Knew: Western Responses to Genocide in Bosnia*, T. Cushman and S. G. Mestrovic (eds.) (New York, 1996) p.150

²⁹ T. Cushman and S. G. Mestrovic, 'Introduction' in *This Time We Knew: Western Responses to Genocide in Bosnia*, T. Cushman and S. G. Mestrovic (eds.) (New York, 1996) p.4

³⁰ ibid p.23

*troops are to be sent to Bosnia, it should be to protect the UN peacekeepers there, not the civilians.*³¹

A fifth key form of failure is complicity. An example of this complicity is shown through Russia's behaviour in the United Nations regarding the situation in Bosnia in which they often obstructed progress by openly favouring the Serbs through opposing air strikes, opposing resolutions of condemnation by the Organization for Security and Cooperation in Europe (OSCE), and supporting an end to the economic sanctions.³² Barnett argues that, *because both the Security Council and the secretariat operated in a way that generally furthered the war aims of the Serbs... the UN role in Bosnia suggests not indifference but rather active complicity.*³³ Expanding on this view Rieff also argues That *"by providing a humanitarian fig leaf for what was really taking place in Bosnia and pretending that their interests were not parochial ones of a moral and intellectually bankrupt organization that had been forced by the Security Council to take on a task it was quite incapable of coping with honourably, UNIPROFOR and the department of peacekeeping operations became accomplices to genocide"*³⁴

³¹ *ibid* p.23

³² P. Ronayne, *Never Again? The United States and the Prevention and Punishment of Genocide Since the Holocaust*, (Oxford, 2001) p.125

³³ M. Barnett, *'The politics of Indifference at the United Nations and Genocide in Rwanda and Bosnia'*, in *This Time We Knew: Western Responses to Genocide in Bosnia*, T. Cushman and S. G. Mestrovic (eds.) (New York, 1996) p.156

³⁴ D. Rieff, *Slaughterhouse: Bosnia and the Failure of the West*, (New York, 1995) p.189

The sixth key aspect of failing the victims is Active Involvement. France was involved in Rwanda in four significant ways: in funding the perpetrators, giving them political and economic backing as well as giving them military support, all of which resulted in helping the regime remain in power.³⁵ France was also responsible for training the perpetrators as their extensive support for the Habyarimana regime meant they placed French officers in influential advisory posts in the army and also contributed several hundred troops. But whilst officially these soldiers did not take part in the war effort, France helped supply the Forces Armées Rwandaises with arms and trained its army police and presidential guard as well as getting involved in internal security matters³⁶ Krosiak argues that *“France’s political commitments to the ruling regime resulted in relative indifference towards the massacres...”*³⁷ and further more this involvement *“is a decisive criterion to determine its responsibility for the non-prevention of the genocide”*³⁸

However France is not the only country to have actively contributed to genocide. Many other countries are responsible for providing perpetrators with arms or military support in Rwanda namely Belgium, Egypt, South Africa, Zaire, Britain, Bulgaria, Italy, Israel and The Seychelles³⁹ Rumney suggests that these countries foreign policies appear to be *“primarily guided by ideological, strategic,*

³⁵ D. Krosiak, *The Role Of France In The Rwandan Genocide*, (London, 2007) p. 102

³⁶ *ibid* p.99

³⁷ *ibid* p.107

³⁸ *ibid* p.122

³⁹ *ibid* p.140

and economic interests rather than a commitment to democratic values.”⁴⁰ And that the same interests lead to “involvement in genocide and to collaboration with those who commit such acts”⁴¹

The seventh key aspect was the failure to punish perpetrators. In the instance of Bosnia, The London Peace Conference aimed at threatening the Serbs into shutting down detention camps, ending the siege of Sarajevo and returning captured territory, all of which they promised to do, knowing however, they would not honour or have to honour these promises as none of the states present at the conference would pressure or force them to do so once they had left the bargaining table.⁴² Ronayne suggests that this failure to punish resulted from *“the Bush administration’s consistent and almost principled unwillingness to commit any significant use of force”⁴³* Furthermore Cushman and Mestrovic argue that, *“one could even make the case that the nature of the western response actually abetted genocide and other crimes against humanity in the region by allowing the perpetrators to proceed with a guarantee that they would not be punished.”⁴⁴*

⁴⁰ Phillip N. S. Rumney, ‘Review: Getting Away with Murder: Genocide and Western State Power’, in *The Modern Law Review*, Vol. 60, No. 4 (July., 1997), p.596

⁴¹ *ibid* p.596

⁴² P. Ronayne, *Never Again? The United States and the Prevention and Punishment of Genocide Since the Holocaust*, (Oxford, 2001) p.118

⁴³ *ibid* p.118

⁴⁴ T. Cushman and S. G. Mestrovic , ‘Introduction’ in *This Time We Knew: Western Responses to Genocide in Bosnia*, T. Cushman and S. G. Mestrovic (eds.) (New York, 1996) pp.1-2

It is evident that the international community is collectively responsible for failing to act in the face of genocide. However some states are more culpable than others. The United Nations bears a great deal of the responsibility, more so even, than individual states. As they have the authority and are legally obliged to enforce these resolutions and protect civilians and can use 'all necessary means.'⁴⁵ It is evident that the Security Council was aware of the situation in both Rwanda and Bosnia and they chose to ignore the war crimes being committed. This is unacceptable. With the United States and Britain's superpower status' comes a moral responsibility to intervene, and their lack of intervention on political and economic grounds are not valid excuses. Sadly their role in the genocides can be summed up in the following terms: "*One American casualty is worth 85,000 Rwandan dead.*"⁴⁶

⁴⁵ M. Barnett, '*The politics of Indifference at the United Nations and Genocide in Rwanda and Bosnia*', in *This Time We Knew: Western Responses to Genocide in Bosnia*, T. Cushman and S. G. Mestrovic (eds.) (New York, 1996) p. 151

⁴⁶ S. Power, "*A Problem From Hell*", (London 2003) p.381

BIBLIOGRAPHY

- M. Barnett, *Eyewitness to a Genocide: The United Nations and Rwanda*, (New York, 2002)
- M. Barnett, 'The politics of Indifference at the United Nations and Genocide in Rwanda and Bosnia', in This Time We Knew: Western Responses to Genocide in Bosnia, T. Cushman and S. G. Mestrovic (eds.) (New York, 1996)
- S. Cohen, *States of Denial: Knowing about Atrocities and Suffering*, (Cambridge, 2001)
- T. Cushman and S. G. Mestrovic , 'Introduction' in This Time We Knew: Western Responses to Genocide in Bosnia, T. Cushman and S. G. Mestrovic (eds.) (New York, 1996)
- 'United Nations (1948) Convention on the Prevention and Punishment of the Crime of Genocide, in Roberts', A. and R. Geulff (eds.) *Documents on the Laws of War*, (Oxford, 1999) pp. 181- 94
- D. Krosiak, *The Role Of France In The Rwandan Genocide*, (London, 2007)
- R. Lemkin, *Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government, Proposals for Redress*, (Washington DC, 1944).
- L. R. Melvern, 'The Security Council: Behind the Scenes in the Rwandan Genocide' in Genocide, War Crimes and the West, History and Complicity, A. Jones (ed.), (New York, 2004)
- L. R Melvern, *A People Betrayed: The Role of The West in Rwanda's Genocide*, (London, 2000)
- Anthony Obershall, 'Preventing Genocide', in *Contemporary Sociology*, Vol. 29, No. 1, Utopian Visions: Engaged Sociologies for the 21st Century (Jan., 2000) pp. 1-13
- S. Power, "A Problem From Hell", (London 2003)
- D. Rieff, *Slaughterhouse: Bosnia and the Failure of the West*, (New York, 1995)
- P. Ronayne, *Never Again? The United States and the Prevention and Punishment of Genocide Since the Holocaust*, (Oxford, 2001)
- Phillip N. S. Rumney, 'Review: Getting Away with Murder: Genocide and Western State Power', in *The Modern Law Review*, Vol. 60, No. 4 (July., 1997), pp.594-608

B. van Schaack, 'The Crime of Political Genocide: Repairing the Genocide Convention's Blind Spot', in *The Yale Law Journal*, Vol. 106, No 7 (May, 1997), pp.2259-2291

B. A. Valentino, 'Review: Still Standing by: Why America and the International Community Fail to Prevent Genocide and Mass Killing', in *Perspectives on Politics*, Vol. 1. No. 3 (Sep., 2003), pp. 565-578