

PREVENTING GENOCIDE: THE ROLE OF THE UNITED NATIONS

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I.	INTRODUCTION	329
II.	RWANDA'S UNFOLDING GENOCIDE BENEATH THE GAZE OF THE INTERNATIONAL COMMUNITY	330
III.	HOW THE UN MIGHT PREVENT GENOCIDE	330
	1. Preventive Justice	330
	2. National Sovereignty	331
	3. UN Reform	332
IV.	CONCLUSION	332

I. INTRODUCTION

I would like to start with a self explanatory and worthwhile quote from His Late Majesty Haile Selassie which reads as follows: "Throughout History it has been the inaction of those who could have acted, the indifference of those who should have known better, the silence of the voice of justice when it mattered most, that has made it possible for evil to triumph."

His Majesty Haile Selassie pointed this out on October 4th 1963, and forty years later we have on the agenda a theme which would not be taking such a great amount of time, should those words have been given due attention by the international community, and more specifically by the United Nations, which is the major international institution advocating brotherhood, justice, equity and solidarity; indeed advocating for humanity altogether. Instead, history witnessed, very recently, the world's sheer indifference to a genocide that took

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place in my country, Rwanda, which claimed within only a hundred days, the lives of a million people, and brought suffering to those who survived, be they those targeted by it or some of those who, under different circumstances carried it out. Rwanda's genocide took place a few decades after millions of heartfelt "never again"s had been pledged by the international community following the Holocaust.

II. RWANDA'S UNFOLDING GENOCIDE BENEATH THE GAZE OF THE INTERNATIONAL COMMUNITY

Rwanda's genocide took place as a culmination of developments that could have left nobody with the least doubt that this tragedy was approaching the near horizon. Being on the ground, the UN was aware of it. Those countries who happened to own the most sophisticated information techniques and the indisputable right to monitor on a daily basis the various crises occurring in different corners of the planet, and which handle the destiny of the world through the United Nations' decision-making spheres were well informed of its probability.

The genocide occurred as those who were carrying it out were endowed with the privilege of sitting on behalf of Rwanda as a non-permanent member of the Security Council. Together with their fourteen fellow-members, they debated whether what was happening in Rwanda was genocide or simply civil or tribal conflict, as some revisionist tendencies still put it.

This leads me to ask whether the UN really plays a significant role in preventing genocide or at least in mitigating its impact when it is taking place. Considering the above and the latest Security Council's shortcomings in decision-making on sensitive security matters, one would be skeptical of the capacity of the United Nations to play an efficient role in preventing human catastrophic conflicts including genocide. No matter the UN Charter provisions, no matter the goodwill of some enlightened men and women and no matter the issuance of strong resolutions, that time when humankind will be totally immune from such barbaric and inhumane acts as genocide has not yet come!

III. HOW THE UN MIGHT PREVENT GENOCIDE

To adopt a more optimistic note and try to stick to my theme, I would like to advance some ideas on what I think should be the role of the UN in preventing genocide.

1. Preventive Justice

The UN should first and foremost put a serious emphasis on preventive justice. Coming back to the case of Rwanda, it is true that the ICTR was set up

to judge those suspected for having committed genocide in Rwanda. But how many genocide perpetrators have been judged so far? How many are still at large and how many enjoy protection from powerful countries where they have been gratified with safe haven? How long did it take to the United Nations to find out that the ICTR was an unproductive heavy machine run by a careless engineer, under exorbitant costs?

There is, in this regard, a need to ensure that exemplary justice is made both for the sake of the victims, and also to deter those likely to easily respond to the sirens of genocide for various motives. It is then the role of the UN to ensure that international law is duly used for that purpose, notwithstanding some hegemonic and political interests.

2. National Sovereignty

During the 58th ordinary session of the UN, delegations took turns at the podium to request profound reforms within the UN. The UN functions under an array of principles stemming from the core essence of the UN Charter. These principles include the principle of non-interference in a sovereign nation's matters no matter the circumstances. The principle has the merit of preventing abusive interventionism but it also—and this needs to be underscored—has in most of the situations favored those totalitarian governments with no concern at all for basic human rights.

The Rwandan genocide was easily carried out as a result of this principle. Eminent diplomats from the most human rights sensitive and democratic countries would surprisingly argue that a non-interference policy was the most advisable, especially in a country where their national interests were not at stake.

It is in this regard that the UN has to play a crucial role. In the envisaged reforms, provisions for an indisputable “responsibility and right to protect” for international community members, and the “right to be protected” for the would-be victims, should more than ever be set forth in the UN texts. The relevant regulations should be enforced on a “beyond borders” basis. The principle of sovereignty should no longer matter as long as ruthless leaders threaten human lives.

It is incomprehensible that, at the dawn of the twenty-first century, when the world is aiming at a fair share of the economic benefits of globalization, under the steadfast lead of the United Nations, the same United Nations fail, just for the sake of complying with what has frequently become a deliberately abused principle of national sovereignty, to ensure a share of the natural global values inherent to humankind.

3. *UN Reform*

The United Nations can efficiently handle genocide prevention if some conditions were fulfilled within its superstructure. I would suggest, among others, the following:

(1). Establishment of an early-warning mechanism within
the United Nations

This mechanism would help maintain a special focus on geographical areas with looming genocidal conflicts so as to mobilize resources to counter any escalation in this respect, through conflict prevention and resolution processes, in close interaction with the involved parties.

(2). Vertical and horizontal exchange of information

UN agencies in member states are in a position to monitor the socio-political developments in those countries facing such grave crises as genocide. There should be mechanisms of regular and fast transfer of information to the UN's headquarters. Within the headquarters there should also be mechanisms for exchanging this information amongst the UN technical departments in order to provide decision-making organs with sound information to rely on.

(3). The integrity of the UN personnel

UN personnel should truly subscribe to moral and ethical obligations compelling them to give due and independent consideration to the information on hand in order to bring wise and positive guidance to the decision-making process.

(4). Emphasis on the moral and ethical motivation in
decision-making processes

Almost ten years after the 1994 Rwandan genocide took place, the world again witnessed with dismay in the course of 2003 how the trustee of the security of the world, the Security Council, has failed. It could not come up with adequate decision-making that would quickly put an end to grave human suffering owing to differences of political views and considerations. In this regard, I would suggest that a move be made so that a moral and ethical rational prevails over any other interests.

IV. CONCLUSION

The complexity and the sensitivity of the issues I have raised should encourage further exchanges of views in a broader framework. There is a need

to make sure that the world achieves a significant step forward so that we can claim for all time “never again.” The challenges are immense but not insurmountable.