

Mississippi Model Security Council Issue Papers

Genocide

Genocide was defined by the United Nations in 1948 at the Convention on the Prevention and Punishment of the Crime of Genocide following the heinous crimes committed by the Nazis during the Holocaust. Genocide is defined “as any of a number of acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group, and forcibly transferring children of the group to another group.”

The Convention on the Prevention and Punishment of the Crime of Genocide was important because it defined genocide and officially condemned it- citing it as a crime under international law (whether it occurs during a time of peace or a time of war). The convention also negated the argument of immunity when genocide is concerned: “Persons committing this crime shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.” Those accused of committing acts of genocide are to be tried in the State where the genocide was committed or an international tribunal that has jurisdiction over the respective parties involved. It is also important to note that the Genocide Convention did not establish a United Nations body or committee to find and punish acts of genocide. Rather “it stipulates that any Contracting Party may call upon the competent organs of the United Nations to take such action under the United Nations Charter, which they consider appropriate for the prevention and suppression of acts of genocide.” By these stipulations, a case may be brought before the International Court of Justice for trial.

The Rome Statue of the International Criminal Court created “an international criminal court for the trials of people accused of crimes the international community considers the most serious. Its purpose is to establish a fair and just international criminal justice system, with competent and impartial judges and an independent prosecutor. Unlike a tribunal formed for a particular case, the Court is a permanent institution. This guarantees that the international community can make immediate use of its services when atrocities occur, and deters people who would perpetrate such crimes.” The Rome Statue is important to the issue of genocide because it declared genocide a crime that is a justifiable offense.

The situation in Rwanda dates back to the 1800s, when there was European occupation of the State. German colonial possession lasted from 1899 until 1916, when the Belgians took power by way of the Treaty of Versailles.

The Europeans in power applied arbitrary labels to the people of Rwanda- either labeling the people Hutus or Tutsis. Resentment between the two groups was culminated by years of Tutsi rule – The Tutsis were favored by the Europeans.

In 1933, the Belgians instituted an identification card system, which only increased resentment

between groups.

Social revolution led by Hutu nationalists in 1959 resulted in Rwanda's independence of European control and a Hutu majority. This was the beginning of the Rwandan Civil War and set the stage for widespread genocide. Many Tutsis fled to neighboring states – by 1993, displaced persons count reached 600,000.

Tutsis began forming the Rwandan Patriotic Front and by 1990, the RPF made several attacks in Rwanda. In June 1993, the United Nations established the United Nations Observer Mission Uganda-Rwanda (UNOMUR) “to monitor the border between Uganda and Rwanda and verify that no military assistance was being provided across it.” The program failed to fully implement its mandate and was officially closed on 21 September 1994.

In October 1993, United Nations Assistance Mission for Rwanda (UNAMIR) was created “to help implement the Arusha Peace Agreement signed by the Rwandese parties on 4 August 1993” and its mandate was strengthened when UNOMUR was officially closed. UNAMIR's mandate ended on 8 March 1996.

In 1994, genocide fully erupts between the Tutsis and the Hutus and the UN creates UNAMIR II to resolve the conflict. UNAMIR II is ineffective and the genocide does not stop until the RPF has control of most of the country and declares a cease fire. By then, nearly one million people had been killed – half that number was killed in 100 days.

Secretary-General Ban Ki-moon said, “As we attempt to learn from the lessons of genocide in Rwanda, two messages should be paramount. First, never forget. Second, never stop working to prevent another genocide. Our thoughts go to the victims – the more than 800,000 innocent people who lost their lives with terrifying speed. Our thoughts go to the survivors. Their resilience continues to inspire us. It is the responsibility of us all to support them in rebuilding their lives. How different it would have been, had we, the international community, acted properly at the proper time.”

Lessons from Rwanda were established on 23 December 2005 by the United Nations General Assembly. The goal of the program was “mobilize civil society for Rwanda genocide victim remembrance and education in order to help prevent future acts of genocide.” The mandate for the program was extended on 17 December 2007. The purpose of the program was to prevent similar acts of genocide in the future through raising awareness of the impact of genocide on the Rwandan people and to support the survivors of genocide.

Beginning June 28, 2010 and lasting until July 3, 2010, a group of experts on the Holocaust and genocide studies convened at the Salzburg Global Seminar with the goal of “explor[ing] the connections as well as the divisions between the fields of Holocaust education, genocide prevention, and human rights”. The seminar focused on the relationship between past genocides and modern occurrences of this crime. Panelist debated whether or not teaching about the Holocaust had the potential to better understand the conditions that ignite modern genocide. Those opposed argued that too many differences exist between the Holocaust and modern genocide to reap the benefits of studying the historical atrocity. Those in support of studying the Holocaust expressed support for the analysis of past genocides as means of prevention. Both

parties concluded, however, that the lessons learned from the Holocaust are applicable to studies of modern genocide and bear great significance for the future of human rights.