CRITERIA FOR REFORM

OF THE UNITED NATIONS SECURITY COUNCIL

IN PREVENTING GENOCIDE

by

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ABSTRACT

This thesis provides an overview of why genocide must be prevented by the United Nations Security Council as a systemic threat to international peace and security. Such prevention will only be possible through internal reform and a transition from peacekeeping to modern methods of peacemaking. By exploring the circumstances that formed the genocides in Rwanda and Bosnia, we see how early indicators should alter action and intervention methods by the international community, spearheaded by leaders such as the permanent members of the UNSC. With indicators of early signs of conflict, patterns of ethnic cleansing, and stages of genocide, the UNSC can take actions sooner that will not only increase its legitimacy, but preserve the stability of the current international system. Using the current example of escalating hostilities in Myanmar, this thesis concludes by suggesting measures to be taken by the UNSC in order to prevent the outbreak of genocide in our lifetime.

Chapter 1

HUMAN RIGHTS AND GENOCIDE

Introduction

Genocide is the worst crime under international criminal law and to this day remains an unresolved systemic threat, not only to international peace and security, but to humanity as a whole. The failures of our international institutions, such as the United Nations, have harmed their legitimacy, moral leadership, and integrity, thereby threatening the stability and existence of our entire international system.

"Genocide attacks multiple functional levels of global society—social, political, military, economic, cultural, legal, and moral—on an increasingly blurred interactional scope—state, regional, and global."[1] The world remains as ill-prepared to deal with this intrusive evil or the corrupt leaders who instigate group-based conflict as it was during past instances in Rwanda in 1994 and Bosnia in 1992. Under such circumstances, what prevents genocide from rearing its ugly head once more?[2] We say "never again," but the truth of the matter is that genocide will continue to threaten the international order and take innocent lives if we do not take immediate, concrete, and preventive action.

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[1] Kenneth J. Campbell, *Genocide and the Global Village* (New York: Palgrave, 2001) 26.

[2] Ibid., 1-3.

Responsibility for genocide does not fall equitably on nations, organizations, or institutions of the international community. Nation-states are the only legitimate authoritative holders of the use of force in the international system. Therefore, it is their responsibility to prevent "malicious assaults on the fundamental integrity of the prevailing international order."[3] Global leaders must use their special position and influence as the primary defenders of this international order to not only protect their position and interests, but to prioritize stopping the threat of genocide at the international level.[4]

The United Nations Security Council (UNSC), as the table at which the top five world powers have a seat, must do everything in its power to prevent such urgent and devastating threats to global peace and security from arising once more. But cumbersome bureaucracies are not as welcoming to change at the pace it is needed in order to combat this menace. Genocide prevention methods must involve early and decisive multilateral action, spearheaded by international institutions and leaders that benefit from the existing international order. In addressing the circumstances under which genocide may occur, the international community must work together to bring such information to the UN Security Council in order to instigate change and immediate action. Idly standing by when early warning signs of conflict exist around us will only encourage the reoccurrence of genocide, and will cost humanity an untold number of innocent lives.

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[3] Ibid., 16.

[4] Ibid., 17.

This thesis seeks to understand the circumstances of conflict under which genocide occurs, and how it can be better prevented by the UN Security Council. By understanding genocide and the causes of group-based conflict, we can better recognize the progression toward violence. This thesis relies on a comparison of existing literature on reform measures recommended for the United Nations Security Council, and the past actions of the United Nations Security Council in combatting the threat to international peace and security posed by genocides in Rwanda and Bosnia. Through this analysis, it becomes increasingly obvious what the institution did wrong and what it can do better in the future by adopting certain reform policies. Comprehending the international circumstances under which group-based conflict and genocide may occur will allow the international community, under the direction of international leaders such as the UN Security Council, to step in when early warning signs appear. In order to maintain the current international system and save countless lives from immoral persecution, united and swift action must be taken by the global community in preventing genocide before it occurs.

Defining Genocide

The Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG) was adopted by the United Nations General Assembly on 9 December 1948 as General Assembly Resolution 260.[5] Genocide is defined in Article II of the CPPCG as,

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[5] Human Rights Web, "Convention on Genocide" (1997), <http://www.hrweb.org/legal/genocide.html>.

Any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: 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.[6]

This legal definition is important for international actors, primarily member states which have signed the Convention. Article IV claims that persons responsible for acts of genocide will be punished. Persons charged with genocide or any of the other acts included in Article III (conspiracy to commit genocide, direct and public incitement to commit genocide, attempt to commit genocide, and complicity in genocide), are to be tried, preferably by a "tribunal in the state in which the offenses occurred." The other option for states is that they may call upon an international penal tribunal, such as the International Criminal Court (ICC), and "punish them according to their respective constitutions."[7]

While this Convention is crucial to the protection of human rights, and even more specifically group rights, one cannot deny the blatant ambiguity of this accepted definition of genocide. For starters, one must be a member of a protected group in order to have sought protection under the Genocide Convention. International organizations seek to broaden this definition to include other types of groups, such as socioeconomic or political groups. The definition of what constitutes a protected group is arguable in itself. Omissions such as this have been exploited to the fullest extent, resulting in the loss of millions of innocent lives—often at the hands of the

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[6] U.N. General Assembly, *Convention on the Prevention and Punishment of the Crime of Genocide*, United Nations Treaty Series, vol. 78, No. 1021 (1948) 280.

[7] Ibid., 281-282.

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very government that is supposed to protect them. The Convention itself lacks any form of enforcement, as does the UN in general, other than the UNSC. In analyzing the definition agreed upon by the signatories of the CPPCG and ratified by the General Assembly, one can see that it clearly excludes the annihilation of "groups defined by other characteristics such as class or political affiliation."[8] There is also the question of not just physical destruction of a group, but gradual degradation of a group's culture as well—aspects included in the definitions of ethnocide or cultural genocide that are not as widely recognized.[9] Although such acts may not constitute killing, they could still be detrimental to the existence of a group and their distinct culture, yet are not directly recognized by the CPPCG.

International Human Rights Law and Group Rights

Group rights are fundamental to understanding which groups may claim that genocide has been committed. In order to understand what rights groups have in seeking justice after genocide, it is important to explore the relation between genocide prevention and the protection of human rights in general. Additionally, one must examine how rights apply to international law as well as global guidelines meant to preserve elements of humanity during war. Group rights are also vital to preventing ethnic group conflict that can escalate to genocide. If the problem of genocide is based on conflict between groups, then the solution to this issue also must be based on policies that protect groups. By resolving to safeguard groups from the potential

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[8] Martin Shaw, *What is Genocide*? Revised ed. (Polity: Cambridge University, 2007).

[9] Ibid., 65.

relative issues they have with one another, we can prevent the re-emergence of conflict between them.

The International Bill of Human Rights is modeled after the United States Bill of Rights and influenced by Former U.S. President Franklin D. Roosevelt's "Four Freedoms" Speech (1941). It is composed of three primary documents: the United Nations Universal Declaration of Human Rights (UDHR) (1948), the International Covenant on Civil and Political Rights (1966), and the International Covenant on Economic, Social, and Cultural Rights (1966). While different countries of the world recognize and prioritize the last two treaties depending on their degree of cultural relativism, the UN Universal Declaration of Human Rights is the most widely accepted.[10] According to Dr. Matthew Weinert of the University of Delaware,

> The UDHR is technically not a legally binding instrument. Nevertheless, states have repeatedly referred to it to glean basic obligations, and to criticize each other for failures to uphold it. This use of the UDHR has resulted in its status as customary international law.

Prioritization of economic, social, and cultural rights is most prominent in collective cultures, which stress duty to community over individual rights.[11]

While not legally enforceable like a treaty, the Declaration is looked to as the standard for customary law regarding human rights, and states are expected to enforce these laws and promote non-discrimination. It also establishes an external set of moral standards that can be monitored. This lack of "teeth" or affiliated enforcement

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[10] Jack Donnelly, *Universal Human Rights in Theory and in Practice*, Ed. 3 (NY: Cornell University, 2013).

[11] William H. Meyer, *Human Rights and International Political Economy in Third World Nations* (CT: Praeger, 1998).

mechanism in the UDHR has facilitated countless instances of human rights violations worldwide, even in developed nations.[12] In this document, it is explained which rights constitute universal human rights, which are applicable to all people despite "race, color, sex, language, religion, political or other affiliation, national or social origin, property, birth, or other status…country or territory to which a person belongs…under any other limitation of sovereignty."[13] The UDHR also states that "everyone has the right to a nationality."[14] While there are many different types of rights and categories into which one can place them, human rights are justifiable claims that are applicable to all people in the world.[15] The CPPCG is one of several notable human rights treaties and conventions that seek to protect groups.

It is important to define how a group acquires collective rights, and what criteria a group must meet to be considered legitimate at the international level. The more criteria a group meets, the more likely it is that they are eligible to be assigned group rights. Groups must be a) self-defining, b) have practical consideration, c) historical considerations, and d) be cognizable groups with an "exit option" where they can choose to leave the group.[16] Group rights or collective rights sometimes

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[12] William H. Meyer, Lecture Notes, POSC445: Human Rights (U Delaware, 2015).

[13] *Universal Declaration of Human Rights,* United Nations Office of the High Commissioner for Human Rights, Resolution 217 A III, Article 2 (Paris: 10 December 1948) 72, <http://daccess-ods.un.org/TMP/2948738.93260956.html>.

[14] Ibid., Article 15.

[15] Meyer, Lecture Notes, "What Are Rights?", POSC445: Human Rights (U Delaware: 2015).

[16] Ibid., "Group Rights".

conflict with individual human rights, making them controversial in unique scenarios. In his book *Universal Human Rights in Theory and in Practice*, Jack Donnelly argues that individual freedoms of association and participation must be voluntary. Conflicts arise, however, when collective rights undermine the individual rights notion that group membership ought to be irrelevant. While there are valid criticisms of why and to whom we assign group rights, collective rights and the CPPCG are of critical importance to understanding foreign political and legal systems.[17]

The reason group rights must be mentioned is that there needs to be more concrete international protections for groups in order to avoid persecution based on group membership from reoccurring. This prevention would also include greater enforcement of prosecution for those who commit these types of human rights violations. Such abuses of human rights would affect international peace if they were to escalate to the point of genocide, seeking to eliminate that group from society. Therefore, "the protection of group rights is a necessary part of any attempt to democratize troubled societies."[18] By ensuring the rights of groups, we can help to democratize a society that may be at risk for group conflict, and thereby mitigate certain causes of conflict before conflict occurs. An interesting question to consider then, is at what point does such a violation of rights justify international intervention?

Ethnic groups desire to protect their cultural values, languages, traditions, and customs without feeling threatened by majority groups or mainstream society. If

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[17] Vernon Van Dyke, "The Individual, the State, and Ethnic Communities in Political Theory", World Politics 29 (3) (Cambridge University Press, 1977).
[18] Gene M. Lyons and James Mayall, *International Human Rights in the 21st Century* (Lanham, MD: Rowman and Littlefield, 2003) 4.

protections of group rights were better enforced, perhaps there would be less concern about the reoccurrence of genocide. By ensuring the protection of groups, the international community could minimize any escalation of hostilities against groups and stop them from being singled out or isolated from society. Many of the indicators of ethnic cleansing or genocide involve cultural sabotage and gross violations of human rights, as we will see later on. Group rights must be enforced and protected by the international community, even at the discretion of the UNSC as a threat to international peace, in order to prevent genocide from occurring. The future of checking threats to international peace and security is intertwined with the future international human rights regime.[19] The first step to this prevention is recognizing the cross-cultural problems that exist in diverse, multiethnic societies, and then creating the conditions necessary to protect groups and create long-lasting peace.

Seeking Justice after an Unjust War

To enforce existing conventions, the international community may look to adequate tribunals within individual affected states or the International Criminal Court (ICC), among other international and regional judicial organizations. The ICC, which was ratified under the Rome Statute of the International Criminal Court (1998), is given jurisdiction over international crimes of genocide, war crimes, crimes against humanity, and crimes of aggression.[20] The court is meant to complement already

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[19] Ibid., 213.

[20] United Nations, *Rome Statute of the International Criminal Court*, *Treaty Series*. Vol. 2187 (1998) <https://www.icc-cpi.int/en_menus/icc/legal texts and tools/official journal/Pages/rome statute.aspx>.

existing national courts, and is to be invoked when member nations that have ratified the Rome Statute are unwilling or unable to bring an individual or government organization to trial. It is a court of last resort.[21] The UNSC may also refer cases, or individual states may refer cases to be investigated.[22] A nation may, however, choose not to be a member of the ICC (such as the United States), or may choose to cooperate with the ICC even as a non-member. The ICC is a separate entity but collaborates frequently with the United Nations.

Other than the ICC, there are international courts. Sometimes, regional courts can have better enforcement mechanisms, like in the Council of Europe and the European Court of Human Rights. At the international level, however, there are limited options. In cases of extreme circumstances, the UN will take action in conjunction with the resources it has available and the international organizations with which it is affiliated, like the International Committee of the Red Cross (ICRC).

The United Nations Security Council has often taken it upon itself to create special ad-hoc tribunals to address crimes such as those outlined in the CPPCG and Geneva Conventions.[23] The ad-hoc criminal tribunals for the Former Republic of Yugoslavia (ICTY), and Rwanda (ICTR), are both cases which will be examined in this thesis. Using these historical cases of genocide, we specifically look to understand

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[21] International Criminal Court, "ICC - About the Court" <https://www.icc-cpi.int/en_menus/icc/about the court/Pages/about the court.aspx>.

[22] United Nations, *Rome Statute of the International Criminal Court*, *Treaty Series*. Vol. 2187 (1998).

[23] International Committee of the Red Cross, "Ad Hoc Tribunals", ICRC <https://www.icrc.org/eng/war-and-law/international-criminal-jurisdiction/ad-hoc-tribunals/overview-ad-hoc-tribunals.htm>.

the actions taken by the UN Security Council *before* the outbreak of what we consider genocide.

Because genocide is a systemic threat, we must know what causes genocide to occur in order to stop it before it happens again. Several questions arise from this analysis: were past UNSC actions taken before these genocides effective or not, and if not how could they be improved? Are there factors that were out of the control of the international community, or did different norms exist at the time which simply permitted genocide to occur? In resolving these questions, we can better place ourselves in the shoes of those who worked within international institutions and those who understood the global environment of the 1990s. Using this information, we can offer suggestions on how to create a more concrete plan to prevent genocide from reoccurring and threatening the security of our international system.

The first step in understanding the circumstances which surround genocide is to explore what circumstances create it. This implies identifying and recognizing early warning signs of conflict, as well as indicators shared by both ethnic cleansing and genocide. This process of bridging the gap between conflict prevention and genocide prevention can be understood as the transition from conflict prevention to conflict management, and the outbreak of violence which separates them. While recognizing early warning signs of conflict can be considered part of conflict prevention, the question of how to prevent the increase in violence leading to genocide traditionally becomes one of conflict management. The emphasis then is providing this management at lesser levels of hostility early on, and transitioning this approach to greater levels of hostility that do include violence such as we see with instances of ethnic cleansing. By minimizing conflict at its most manageable level before the

outbreak of actual violence, we undermine the first steps toward any escalation of violence aimed at groups within society. For these reasons, we must explore why conflict prevention is related to genocide prevention, and how genocide prevention is related to conflict management. While indicators of ethnic cleansing are very similar to genocide, ethnic cleansing prevention does not necessarily mean that violence has already broken out, while genocide prevention implies that it has. Therefore, by categorizing indicators of ethnic cleansing as early warning signs of conflict, we see how the distance between forms of conflict prevention at different levels of hostility leading up to conflict management and genocide prevention, can still be practiced. Finally, we must comprehend why methods of genocide prevention should be pursued by the UN Security Council in order to eradicate the threat that genocide poses to international peace and security.

Chapter 2

WHY CONFLICT PREVENTION OVER CONFLICT MANAGEMENT?

The Positives and Pressures of Conflict Prevention

This section seeks to articulate the positives of conflict prevention, and how they are superior to conflict management in terms of cost effectiveness, lives saved, and minimization of conflict throughout the rest of the world, among other intangible positives. By accepting reform measures that could help the United Nations Security Council implement conflict prevention measures, the USNC could more effectively use its resources and capabilities to prevent genocide as a form of extreme group-based conflict.

The definition of conflict prevention is contested; however, a comprehensive idea includes the "monitoring, containment, and reduction of *risk factors* that shape war onset, intensification, and spread."[24] Conflict management, meanwhile, is the process of minimizing the negative aspects of conflict after the actual outbreak of violence, while maximizing the positive aspects of conflict. The aim of conflict management is to enhance learning and group outcomes, including effectiveness or performance in an organizational setting.[25] According to this logic, as soon as violence

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[24] Robert Muggah and Natasha White, "Is There a Preventive Action Renaissance? The Policy and Practice of Preventive Diplomacy and Conflict Prevention" (The Norwegian Peacebuilding Resource Center: 2013).

[25] Bernd Beber, "International mediation, selection effects and the question of bias" (*Conflict Management and Peace Science*, 2012) 29(5): 397-424.

occurs, the situation changes from conflict prevention to management. As we can tell

simply from the definitions, not only is conflict prevention more comprehensive in

including the risk factors that precede conflict, but involves acting earlier before the

outbreak of violence has even begun in order to prevent conflict at its source(s). Even

though both definitions seek to limit conflict, prevention is the preferred method for

this thesis because it works to resolve sources of conflict *before* violence occurs,

thereby lessening the number of casualties. It also addresses long-term causes of

conflict, while conflict management more so focuses on short-term factors of

alleviation. If conflict can simply be avoided in the first place through effective

prevention measures, then there will be no need for conflict management to take place.

> Conflict prevention emphasizes longer-term structural and systemic
> changes through investments in risk reduction [than preventive
> diplomacy]. What also appears to be implicit in recent UN reports is
> that conflict prevention itself may have a role in creating the local
> conditions that, in turn, facilitate preventive diplomacy.[26]

The specific type of conflict prevention involved in proposing reform measures

is crucial. The analysis of UNSC reform measures in this thesis gives it a focus on

structural prevention, which "focuses on long-term initiatives aimed at targeting the

root causes of conflict."[27] While there are a multitude of conflict prevention measures

involving development that are not limited to the jurisdiction of the UNSC (the main

categories of conflict prevention being structural and operational), this thesis chooses

to work within the limits of structural prevention because of the long-term nature of

[26] Robert Muggah and Natasha White, (The Norwegian Peacebuilding Resource
Center: 2013).

[27] Johns Hopkins School of Advanced International Studies, "Conflict Prevention"
(SAIS: Conflict Prevention) https://www.sais-jhu.edu/content/conflict-prevention.

the obstacles faced by the UN bureaucracy, and the global norms which have narrowed its focus. While long-term approaches may not allow the UNSC to take the expedient action that this thesis calls for, by addressing underlying causes, conflict would ideally be minimized at the source, therefore also minimizing the need for changes to procedural action. While this is a distant goal and procedural steps must be in place to address threats to international peace and security in the near future, limiting underlying causes through the structural prevention of conflict will ultimately create a sustainable solution for international peace.

This thesis attempts to consider both structural, and some procedural reforms, that the UNSC should address. However, the underlying notion is that structural reforms would be taking place internally over the long term, simultaneously with shorter-term procedural improvements which are focused on the now. The theory behind this is that if long term improvements are commenced immediately, there will be a lesser need for procedural improvements in the distant future when the effects of structural reform are felt. Having stated the importance of balancing different types of conflict prevention, we may present them in a unified response as to why conflict prevention as a whole should be preferred to methods of conflict management whenever possible.

Economically, conflict prevention is less costly than conflict management for the international community.

> Conflict prevention is not intervention but rather an attempt to forestall the need for forceful intervention with humanitarian aims and other forms of fire fighting action that tend to be difficult, expensive, run into

reluctance by some member states to become too heavily involved, and simply, come too little too late.[28]

This simple fact is, however, accompanied by a great concern: the most important part of conflict prevention is timeliness. The phrase "time is money" is especially applicable to action taken, or lack thereof, by the international community in preventive measures against deadly conflict. Costs can include financial losses or mass casualties if clashes are given the opportunity to escalate. Arguably, it is not only more cost effective to pursue prevention, but morally responsible, as early action can prevent violent conflict from turning into civil war or genocide, thereby saving lives. By successfully implementing this culture not only in the UN, but also internationally, the world might see less violence through improved diplomatic training and newly established peace-keeping norms.

> From a generic perspective, prevention looks impressive. But if is to be relevant and helpful in individual cases, it needs to be tied to carefully tailored political processes that address the specific issues in dispute.[29]

This quote summarizes the ambiguity of the empirical nature of conflict prevention, which has no singular tried and true method that is always effective. We do not know exactly how and when conflict may unfold, but we can assume that intense conflict, such as genocide, stems from unresolved lesser conflicts (such as group inequalities) that turn hostile, or even escalate into ethnic cleansing. While this thesis seeks to outline the generic tools that can be useful in preventing the ethnic-based conflict that could escalate to genocide, each response must be individually

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[28] Fen Osler Hampson and David Malone, *From Reaction to Conflict Prevention: Opportunities for the UN System,* The International Peace Academy (Boulder, CO: Lynne Rienner Publishers, 2002) 382.

[29] Ibid., 261.

tailored to each situation, depending on a variety of cultural, political, and economic factors that cannot possibly be predicted for every case.

This thesis seeks to provide only the most relevant historical information needed for the analysis of effective UN Security Council preventive action. Part of this prevention is timing, and why timing has affected the methods chosen to prevent the outbreak of genocide. "Preventive diplomacy is intended to change the calculus of parties regarding the purposes to be served by political violence and to deter them from choosing to escalate the level of conflict."[30] The earlier this conflict diffusion is done, the easier it is to prevent the escalation of violence. Therefore, timeliness is one of the most important aspects of preventive action. The costs of waiting are not only measured in the moral regret of those who did not intervene soon enough to save innocent lives, or in the number of families torn apart by violence. Nations that are geographically further from the conflict might feel the burden of economic loss more so than nations which have had soldiers lost in battle, or civilian victims. The pressure for foreign intervention revolves around moral authority, as well as economic issues.

> One study estimates that had the US and Europeans succeeded in preventing the Bosnian war, their costs would have been $33.3 billion, as opposed to the estimated $53.7 billion they spent on intervention up until the time of the Dayton Accords, in 1995.[31]

In addition to economic benefits provided by conflict prevention over an alternative approach of conflict management, there is a moral humanitarian obligation

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[30] Margaret P. Karns and Karen A. Mingst, *International Organizations: The Politics and Processes of Global Governance,* 2nd ed, (Boulder, CO: Lynne Rienner Publishers, 2010).

[31] Ibid., 305.

to act on behalf of the international community where genocide is clearly taking place. This is easier to do when early warning signs of conflict are visible, and immediate action is possible. Four key early warning signs of conflict that can help us create responses to conflict indicators are outlined in the following section. Many of these actions must occur at the international level, and consist of widespread efforts across regimes, individual leaders, the private sector, and international organizations. We will focus, however, on the role that the UN can play in conflict prevention, and specifically, the UN Security Council.

There is one notable flaw in conflict prevention that this thesis must address. "Conflict Prevention faces serious problems…because it is extremely difficult to evaluate whether conflict prevention initiatives have been responsible for a conflict not having happened."[32] While this is a valid point, this thesis assumes that most people would want to live in world which has minimal conflict, rather than attain an exact understanding of how we got to that point. While understanding conflict prevention is important in order to achieve such a world, ongoing studies may reveal the answers to us in the future and show themselves via successfully mitigated conflicts.

One can go in depth on the numerous early warning signs of conflict, but we will simplify them in this document as much as possible by focusing mainly on conflict between groups. This way, warning signs of conflict between groups give us a better idea of how ethnic cleansing and/or genocide occur as well, through an

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[32] Johns Hopkins School of Advanced International Studies, "Conflict Prevention" (SAIS: Conflict Prevention) https://www.sais-jhu.edu/content/conflict-prevention.

escalation of this type of conflict. Later on, we will explore what brings about the escalation from conflict to ethnic cleansing. This transition portrays an even clearer picture of why early warning signs of conflict, ethnic cleansing, and genocide are so crucial. The importance of taking early action must not overshadow the initial importance of being able to identify early warning signs to which preventive efforts may be applied. Identifying these early warning signs sets the scene for when and how we initiate action, which becomes the central focus of this thesis. Instead of rifling through causes of conflict that the UNSC has been made well aware of but did not take action upon at the time, we will emphasize *why* the Council did not or could not take action. This analysis will include suggestions for future action by the Security Council while exploring limitations to the UN Security Council in taking necessary preventive actions, as well as obstacles to internal reform which will be elaborated upon in the following chapter.

Trends in Conflict Prevention

The nature of international conflict is gradually changing from interstate to intrastate,[33] which includes the increased activity of belligerent groups within states. There are several key causes to such trends in conflict primarily sorted into four categories: insecurity, inequality, private incentives, and perceptions. Underneath these four causes that work in combination to create conflict, there are structural (underlying) causes and mobilizing (more proximate) causes, which pose an

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[33] Fen Osler Hampson and David Malone, *From Reaction to Conflict Prevention: Opportunities for the UN System* (The International Peace Academy. Boulder, CO, Lynne Rienner Publishers, 2002) 4.

immediate threat to the conflict at hand. In addition, there are underlying "pivotal" causes that must be resolved to prevent the recurrence of violent conflict. [34] Thus,

> Conflict emerges from a combination of underlying insecurity and inequality, colored by perception and acted upon by individuals with private incentives. Thus, neither underlying conditions nor human mobilizing actions alone are sufficient explanations, but both are necessary to describe intrastate conflict.[35]

The UN is already acting on these factors and taking steps to incorporate them into their peacekeeping efforts, but the organization lacks both "the coordination and focus on these activities as [conflict] prevention," rather than violence prevention or conflict management.[36] Because of the varying degrees of conflict that may occur as a result of any combination of the four key variables of insecurity, inequality, private incentives, and perceptions, we will explore these early warning indicators only when they portray themselves as indicators of ethnic cleansing as well, as played out in both Rwanda and Bosnia.

While the symptoms listed above are highly important to recognizing the emergence of deadly conflict, they do not act independently as sources of conflict. There must be a significance placed upon the role of economic development in alleviating sources of conflict before they emerge in the future. In the case of Rwanda, inequalities in distributed resources necessary for development created animosity, which was enhanced by other factors such as private incentives and perceptions, escalating the situation to genocide. One must recognize relative group inequality in a

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[34] Ibid., 17.

[35] Ibid., 21-22

[36] Ibid., 30 and 8.

society to see how such trends develop, and what can be done to prevent them from creating or worsening conflict within a state. This thesis will seek to provide an overview of each of the four key causes of conflict when examining each historical incidence of genocide. With the comparison of instances of genocide, this thesis hopes to bring to light where the United Nations Security Council could have acted sooner when indicators of conflict were present, in order to prevent the escalation to violent conflict and then genocide.

Group Conflict Prevention

According to Fen Osler Hampson and David Malone in their book *From Reaction to Conflict Prevention: Opportunities for the UN System*, inequality is signified by the "relative deprivation across recognizable groups in society." This inequality can be widespread across many categories, including political participation, economic assets, income, education, and/or social situation.

The need for targeting group-specific deprivation of developmental assets and opportunities within a nation is a crucial warning sign of conflict stemming from widespread poverty. That is why development goals aim at alleviating poverty, and why successful implementation is imperative to discourage the outbreak of violent conflict. This is most important in incidences of ethnic conflict, in which perception is a crucial part. Perception helps us to understand "the salience of group identity, and the degree of group cohesion…which are factors that facilitate mobilization".[37] Perception and inequality go hand-in-hand with development efforts, because if not done carefully and cautiously they can be interpreted suspiciously by domestic

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[37] Ibid., 21.

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populations due to past conflict. "Inequality exacerbates perceived differences and the other factors that cause conflict."[38] Just because humanitarian efforts are made does not mean that they will be perceived as good intentions by all parties involved. These factors are important in approaching resolution in regions that have been riddled with conflict. Both cases of past genocides examined in this thesis are based on ethnic conflicts, so it is particularly important to clarify how development and other efforts at conflict prevention are affected negatively by the causes of conflict, such as inequality and perception.

Of the 48 countries classified as 'least-developed' by the UN, 24 experienced serious conflicts between 1970 and 1996. Much of this vulnerability to conflict is derived from "horizontal inequalities," or inequalities between groups.[39] Group rights were emphasized in the previous chapter because group membership is an important part of a society. How these groups are treated, however, affects how stable or peaceful that society will remain.

> Often people do not recognize themselves as members of a group until it is pointed out by outsiders. However, differences in underlying conditions with respect to political and economic control are important for the development of group identity and mobilization. Without such inequalities, group identification is likely to be weak and remain a cultural rather than political or conflict-creating phenomenon.[40]

Although inequality is rarely a cause of conflict on its own, it is crucial for the mobilization of groups participating in a conflict because "leaders use inequality to

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[38] Ibid., 21.

[39] Ibid., 105-106.

[40] Ibid., 108.

construct or enhance group identity."[41] This is where private incentives influence conflict, especially for individual leaders. Private incentives imply that a leader is making choices with predatory designs, rather than reacting to legitimate security concerns. Leaders may see that prolonging conflict or avoiding resolution will bring them more political or economic gain than creating peace would, and elites of groups will seek to protect their power or defend against threats to it, or even act upon opportunities to gain power.[42] In both Rwanda and Bosnia, unequal access to political power and jobs between groups was a major source of contention that lay beneath the outbreak of violence. As group members search for representation or employment elsewhere, opposition and new leadership emerge to challenge existing regimes. This disparity can be an important source of conflict in states that cannot provide equitable distribution of the resources necessary for crucial development.

Inequality between groups has an effect on both followers and the leaders that represent them in instances of conflict. Sometimes, as demonstrated by the war in Somalia, the conflict surrounds the resources necessary for aid and development, using food and water as weapons with the goal of asserting control over the population and continuing violence. In Rwanda, "Interhamwe extremist leaders of the Hutus...deliberately and efficiently cultivated the Hutu consciousness and fear of the Tutsi population for several years before the disaster,"[43] increasing the divide between groups and highlighting inequalities experienced by the oppressors and the oppressed.

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[41] Ibid., 19.

[42] Ibid., 20.

[43] Ibid., 19.

Yet "most group mobilization is a defensive reaction, in response to discrimination and attacks by others."[44] Does this mean that the reaction by Hutu leaders was entirely unjustified? We will explore their grievances with an historical analysis of Rwanda and its colonial past. Although not always the case, strong vertical (hierarchical) inequality within groups "led to intragroup resentment that group leaders bought off by directing animosity toward other groups."[45] The size of the group was relevant to this occurrence, as power in numbers correlated to the massive amount of widespread killings. Groups may also begin to perceive insecurity as their primary concern when a state fails to protect all groups within its borders. Government collapse, geographic isolation of a minority group, and shifts in the political and economic balances of power may all trigger this elevation in priority for a group. Subsequent attempts to increase the security of one group may also decrease the perceived security of another group.[46] This entwinement of the factors of insecurity, perceptions, and inequality demonstrate how a security dilemma may occur from a number of factors in order to create conflict.

To solve horizontal inequality, inclusivity is necessary, particularly in all levels of politics. Political inclusivity is the most difficult to achieve in comparison to social and economic inclusivity. It is important for governments to establish a balance of group benefits and access to opportunities like education, employment, sanitation and

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[44] Ibid., 108.

[45] Ibid., 118.

[46] Ibid., 18.

water, and health services.[47] For private incentives that affect horizontal inequalities, such operations are highly complex and expensive in nature. Furthermore, they require international support and compensation to be successful in most circumstances.[48] This compensation can be for former soldiers or groups that have been wronged through the use of controversial affirmative action policies. The key to all of these solutions is equitable and poverty-reducing growth measures.

Preemptive Peace

Another important aspect in conflict prevention is not only recognizing the symptoms of conflict, but the causes of peace. In observing what brings about success—however it is defined by the mission—one can construct more effective deterrence methods for violent conflict by pursuing peaceful methods via diplomatic engagement early on. It is hopeful that in applying these factors that create a sustainable peace, conflict will be prevented before the outbreak of violence. One sees this preclusion play out in the lack of violent disputes between developed nations due to common factors of development. These points include but are not limited to democratic peace, interdependence and deterrence (vulnerability), institutions that delay action through legislative representation, mutually beneficial trade, and norms that externalize conflict resolution to a state's international relations.[49]

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[47] Ibid., 127.

[48] Ibid., 129-130.

[49] Ibid., 25-26.

A successful example of international efforts at deterrence was in the mid-1990s when Bosnian Muslim forces were better armed following the Dayton Accords, creating a threat of mutual harm if one side was provoked.[50] Once the playing fields were more equal, the Bosnian Serb aggressors were more reluctant to attack Bosnian Muslims and Croats, since there was a greater threat of retaliation. Developed nations have also learned from past peacekeeping strategies to prevent a relapse of conflict.

Lastly, peaceful agreements must be comprehensive if they are to prevent the recurrence of conflict in nations that have a history of violence. The formula for a sustainable peace includes: a) a focus on implementing long-term change, b) the promotion and establishment of mechanisms for national consensus building, c) provisions for maintenance of a close and ongoing relationship of the warring parties (such as power sharing arrangements), and d) an emphasis on cooperation of long-term arrangements for economic opportunity and justice. These elements are extracted from peace agreements that ended civil wars in Guatemala, El Salvador, Lebanon, Mozambique, and Nicaragua.[51] Their proven success in modern history has drawn attention for the continued need for these criteria to be met in future peaceful resolutions.

Limitations of the UN

Past instances in which the cumbersome UN bureaucracy has failed to take rapid measures to halt violence through the use of force have brought about the idea of

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[50] Ibid., 27.

[51] Ibid., 82.

implementing a Rapid Reaction Force under the jurisdiction of the UN Security

Council. To this point in time,

> The preventive drive of the UN has been held in check, largely by its members...concerns [of members] include selectivity of peacekeeping deployments, their increasing intrusiveness, and the likelihood that they would divert resources from the more urgent development needs of the global south.[52]

Where there are violent conflicts occurring in the global south at an alarming

rate of 50% of the world's least developed countries, one must consider tying together

the need for development efforts as well as conflict prevention measures in the same

areas. The UN is shackled by its dependence on member contributions and personnel

staff, as well as political will. The use of the UN as a scapegoat by some member

countries in order to evade political pressure or responsibilities permit the UN to share

some of the blame for past inaction on member states, as "they also hinder the action

of NGOs and IGOs."[53] As a response, "the international community must develop a

new concept of the relationship between national sovereignty and international

responsibility."[54] The UNSC must simultaneously pursue internal reform measures to

establish where the rest of the blame for inaction falls.

In studying past failures on the part of the UNSC to effectively define and

swiftly resolve a crisis, one examines the Rwandan genocide of 1994 and the lives that

could have been spared if the Council had been able to act more quickly and

efficiently. Karns and Mingst quote Barnett and Finnemore (2004: 155) to assert that

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[52] Ibid., 4.

[53] Ibid., xli-xlii.

[54] Ibid.

UN failure to stop genocide in Rwanda was "the predictable result of an organizational culture that shaped how the UN evaluated and responded to violent crises."[55] Currently, "the UN Security Council is ill-equipped to implement quick decisions to establish a military presence on the ground in a crisis".[56] This deficiency is because of the UNSC's inherent political machinery that must sacrifice some efficiency, and its logistical and financial infrastructure that make the task of mobilizing an effective force within days impossible. The time-consuming process of coordinating transportation, communications, and supply functions hinders this urgent process. It is because of these inefficiencies that we seek the most effective reform measures for the United Nations Security Council in preventing genocide.

While the UN is designed for a slow process of treaty creation in order to adequately provide member nations with sufficient time to deliberate, a solution to this could be the creation of a UN-sponsored Rapid Reaction [Deployment] Force (RRF, or RDF) of peacekeeping troops to effectively resolve crises under the jurisdiction of the UNSC. This plan would remove inefficiencies, as the UNSC could deploy forces that may be able to stop violent escalation of international conflict in its tracks, or at least delay further outbreaks of conflict if perpetrators of violence knew that they would face viable threats to their position.

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[55] Karns and Mingst, 123.

[56] Carnegie Commission on Preventing Deadly Conflict, *Preventing Deadly Conflict: Final Report with Executive Summary,* (Washington, DC: Carnegie Corporation of New York, 1997) xxvii.

The proposed rapid deployment force would be "under the authority of the UNSC, and its deployment subject to a veto by any of the permanent members."[57] The recommended force would consist of "5,000-10,000 troops mostly contributed by the members of the UNSC."[58] In addition to the military manpower, this force would require planning staff, an operational headquarters, training facilities, and relevant equipment. This force has been viewed as necessary because of the record of past international crises overseen by the UNSC, Secretariat, and Secretary General, which have demonstrated the need for rapid response, sometimes with force. Such a group tasked with missions involving violent conflict cannot be assembled in pieces or in haste.

> Since 1994, many people including the commander of UNAMIR at the time, have maintained that even a small, trained force, rapidly deployed at the outset, could have prevented the Rwandan genocide.[59]

This force would be capable of acting much more quickly and effectively than the current method for peacekeeping forces in circumstances where the peace that is being kept is most fragile or threatened. Because of the current nature of the UNSC and the hindrances that arise in time-sensitive peacekeeping measures, there is a clear need for reform, potentially in the creation of military rapid reaction forces (RRF). "Assigning difficult missions but failing to provide adequate resources or authority for their implementation must not continue if the UN is to remain useful as an instrument

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[57] Ibid, xxvii

[58] Ibid., xxvii

[59] Ibid., 3-5.

of preventive action."[60] This RRF is not the only viable option to improve the

efficiency and credibility of the UNSC in preventing violence, however.

The Carnegie Commission on Preventing Deadly Conflict recommends that,

> The UNSC should call on the General Assembly to reconstitute The
> Collective Measures Committee to evaluate existing practices regarding
> the imposition and implementation of sanctions, and to make
> recommendations regarding ways to improve their deterrent value. The
> UNSC should retain authority to decide when international norms have
> been violated and when and how the imposition of sanctions will be
> justified.[61]

The use of force, while not a last resort, it is not always the preferred option,

especially when an international organization lacks the means and might. An

improved process for imposing sanctions could be crucial to future deterrence of

conflict, and establishing norms for international behavior. As further preventive

measures, the UNSC has taken a long-term approach structured by the publications of

past Secretary Generals who have laid out agendas for the future of the UN and its

potential role in the international community. Guidelines can be found in *An Agenda

for Peace* (1992), *An Agenda for Development* (1995), and *An Agenda for

Democratization* (1996). These reform agendas contain broad objectives as well as a

"valuable road map to achieving those objectives…in combination, they suggest how

states might use the UN more effectively over the long term to reduce the incidence

and the intensity of global violence."[62] Such goals are important to shaping the culture

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[60] Ibid., 33.

[61] Ibid., xliii-xliv.

[62] Ibid.

of prevention at the UN, as they partake in a "build the plane as we fly it" approach to peacekeeping, and learn from past errors.

There is also the recommended, yet highly controversial, reform measure of expanding the membership of the UN Security Council. It is argued that "an expanded Council will be able to better finance and sustain measures necessary to prevent deadly conflict."[63] Criterion for new permanent membership may be based upon size, population, GDP, and level of international engagement. It is agreed upon that any such expansion "should reflect the world's capacities and needs".[64] The nature of such a reform has long been deliberated, and the next chapter will provide details of the possibilities, intricacies, and hindrances to such a process.

In examining reform measures for the UN Security Council, we seek to imagine how an improved Security Council could better serve the international community by acting more quickly to prevent the escalation of group-based violence to genocide. By using its influence to alleviate core causes of conflict, such as relative group inequality, through development, the Council might neutralize group conflict. The enhancement of economic development, however, is a long-term and expensive solution, even if it would save the UN member states money in the long run. This method can be difficult for nations to conceptualize amidst international and domestic pressures. Economic factors are not the only relevant concerns which affect the environment in which conflict may arise. Among political and social factors, economic concerns are crucial because they help us to quantify the problems that

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[63] Ibid., 7.

[64] Ibid., 7.

create conflict (i.e. comparing the variance in group incomes), and the monetary

solutions that may take on various forms in order to reduce conflict. For example,

humanitarian aid in its many forms must be paid for by some organization or state,

even if the political factors would allow for humanitarian aid to enter a state's borders.

While political and social factors are highly influential in preventing conflict and

should be part of the approach, economic disparities may serve as "hard" indicators of

relative group inequality, rather than consulting sometimes ambiguous empirical data.

The four key variables in conflict prevention (insecurity, inequality, private incentives,

and perceptions) require a special economic emphasis because they have been

previously underemphasized in past academic and policy efforts.[65] Strengthening

economic, political, and social development efforts, and refuting negative ethnic-based

perceptions and assumptions must be done with a strong degree of cultural sensitivity.

  The groundwork for not only conflict prevention, but creating peace itself,

must be laid out through written international contract and law in order to establish

democratic means of change in under-developed nations that are most prone to

conflict. Once the means have been established to recognize early warning signs of

conflict and negate them at the source, the failures of this process fall on the next best

thing, which is conflict prevention and conflict management after the failure of that.

By creating the best possible environment for peace, and the best possible UN

Security Council within the bureaucratic limitations of the UN, we then would see

ourselves in the best possible scenario for preventing the extreme escalation of conflict

to genocide.

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[65] Fen Osler Hampson and David Malone, *From Reaction to Conflict Prevention,* 17.

In this chapter, we have reviewed why conflict prevention is the preferred method over conflict management, but came to the conclusion that conflict management is still necessary as part of international genocide prevention efforts. We have examined the various causes of conflict, and how they should be prevented primarily via economic development efforts, among other forms of Development. It is necessary in preventing conflict that the UNSC is simultaneously sowing the seeds of peace, and taking a proactive approach to international peace and security. These long-term approaches create less of a burden for the future UNSC, as it develops alongside the changing nature of threats to our international system. Although there are many limitations on the ability of the UNSC to prevent and respond to genocide, this thesis is hopeful that these limitations are minimized through progressive internal reform. Reforms that are outlined in this thesis would ideally create a more legitimate and thereby adaptive UN Security Council.

In the next chapter, we delve into the specifics of conflict prevention, and even cite indicators of ethnic cleansing and stages of genocide. In recognizing these early indicators and key variables that affect the nature and severity of conflict, we can better understand how to prevent them from arising or escalating. A reformed UNSC is the most appropriate organ to take on this challenge and combat genocide as a threat to international peace and security.

Chapter 3

GENOCIDE PREVENTION

Escalation from Conflict to Ethnic Cleansing and Genocide: Warning Signs

Studies of conflict prevention have outlined the specifics qualities which create an environment ripe for conflict, leading to the process of conflict management after the initial outbreak of violence. There are also indicators of ethnic conflict, and stages of genocide which can trace the evolution of a conflict in general terms. While the legal definition for genocide is provided by the CPPCG, we must also explore distinguishing factors between ethnic cleansing and genocide in order to see what variables cause ethnic cleansing to become full-blown genocide. Without understanding the distinctions between general indicators of conflict as well as indicators of ethnic cleansing and genocide, we cannot possibly understand how conflict escalates to become such atrocities. In this chapter, certain indicators of ethnic cleansing are categorized under the aforementioned early warning signs of conflict, as a form of conflict prevention. Therefore, when we see overlap between indicators of ethnic cleansing and the stages of genocide, conflict prevention measures may be applied, often only in early stages. This comparison allows us to bridge the gap between conflict prevention and conflict management. The severity of violence once it has already broken out is a key factor in making this distinction between conflict prevention, and genocide prevention as conflict management.

Ethnic cleansing is a subcategory of genocide. In simplest terms, all genocide includes ethnic cleansing, but not all ethnic cleansings include genocide. An ethnic

cleansing is the act of mass expulsion or killing of an unwanted ethnic or religious group in a society. Besides its legal definition, genocide can be distinguished from ethnic cleansing by factors including the process by which the killing happens, the severity of the atrocities taking place, and the intent behind the removal of groups from society. Those steps of genocide that do differ from ethnic cleansing, such as extermination or denial of intent or atrocities committed against a group, occur too late in the process to constitute "genocide prevention", and would instead be part of "genocide management"

In order to prevent genocide, the method of killing, intent, and severity must be defined by the process by which the mass violence is occurring. One cannot wait for a certain death toll to be reached in order to take early action and prevent further atrocities. Defining genocide by the number of people killed and therefore delaying action until a certain number is reached would be a hypocritical way to frame the situation as prevention. The way this thesis perceives genocide is as more so the *process* by which the destruction of a group occurs.[66] It is the goal in uncovering early warning signs of this process, to initiate this international action sooner rather than later, and thereby save as many lives as possible by acting against systemic threats to international peace and security.

What are required for the future are specific indicators that suggest an ethnic-based conflict or cleansing may escalate to genocide. While the UN and the Security Council would likely seek to halt ethnic cleansing before it occurs, they need certain early warning signs in order to prevent the situation from worsening. As previously

[66] Kenneth J. Campbell, *Genocide and the Global Village* (New York: Palgrave, 2001), 22-23.

stated, these key variables that lead to conflict are insecurity, inequality, private incentives, and perceptions. With these key variables and early UNSC action that targets them, perhaps both ethnic cleansing and genocide could be prevented as late forms of conflict. Because genocide may include ethnic cleansing, the specific patterns of ethnic cleansing provide an excellent starting point in deciding what constitutes the specific indicators of genocide, not just conflict. In order to do so, we shall see what common themes are present in both indicators of conflict, and indicators of ethnic cleansing as precursors to genocide.

This chapter seeks to outline patterns of ethnic cleansing that are explored in *Genocide in Bosnia* (Cigar, 1995), and draw personal conclusions as to what exact steps are typically taken, according to what occurred in Bosnia, to elevate the status of conflict to genocide. From there, recommendations can be made as to what actions the Security Council can take in the future to prevent ethnic cleansing as well as genocide.

Patterns of Ethnic Cleansing

Norman Cigar (1995) outlines the following steps generally found in the occurrence of ethnic cleansing, of course with specific variations depending on the situation. We must remember that each instance of conflict will be unique depending on many different variables. These generic steps are taken by a government or group in power that wishes to wage genocide against a target group. In no sequential order, have been extracted from Cigar (1995), pages 53-61, and are listed below.

- Establish military control over an area by one group
- Strategic imposition of domination by one group throughout the country

- Amass heavily armed conventional force with which to attack civilians (unequal distribution of power)
- Limit access by international observers
- "Engineer systemic misery" for a specific group, through alienation and exclusion from society
- "Killing, mistreatment, and deportation" of a group, including exposure to targeted attacks
- Removal of moderate opposition to violence
- Enact more efficient methods of group removal and mass killings under a system
- Restrict food and necessities to areas with high target group concentration
- Destroy of a community's will to remain in an area
- Eliminate the connection a group has to a land

Now that we have laid out the indicators of ethnic cleansing, we now compare them with indicators of conflict and categorize them as such.

(1) Establish military control over an area, whether from the inside or outside, followed by strategic imposition of domination in the countryside.[67] This indicator of ethnic cleansing overlaps with the conflict warning signs of insecurity and perception. At this stage, increasing security of one group can decrease the perceived security of another group. This places both groups in a security seeking-dilemma that can spiral

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[67] Norman L. Cigar, *Genocide in Bosnia: The Policy of "Ethnic Cleansing"* (Texas A&M University Press, 1995) 53-61.

toward conflict.[68] In the case of Rwanda and Bosnia, protection by the government favored one group over another, creating perceived inequality early on, and real inequality as the tensions between groups escalated. Therefore, one group felt insecure because they did not feel that their state could protect them, nor were they willing to do so. The disadvantaged group, from a security perspective, is at risk of being dominated by another group with the greater military capability to enact violence. We see these same indicators of conflict in the next step, (2) Amass a more heavily armed conventional force with which to attack civilians, including acquiring the heavy machinery necessary for activities such as constructing mass graves, or building concentration camps. This step also creates an unequal distribution of firepower with which any opposition could fight back. Therefore, the disadvantaged group is weaker and more vulnerable to violent acts against them because of their lack of weapons, which could help them defend themselves against violent persecution.[69] Again, we see inequality between groups as a factor that creates both conflict and leads to ethnic cleansing. This time, however, inequality is measured in relative military capabilities.

(3) Whenever possible, limit access by international observers to areas where ethnic cleansing is suspected of taking place.[70] Here, private incentives are at work as a source of conflict[71]. While leaders in Rwanda and Bosnia had different goals in their

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[68]Fen Osler Hampson and David Malone, *From Reaction to Conflict Prevention*, 18.

[69] Norman L. Cigar, *Genocide in Bosnia: The Policy of "Ethnic Cleansing"*, 53-61.

[70] Ibid.

[71] Nota Bene: Private incentives can also be used to coerce leaders into positive behaviors, and this fact should not be underestimated in conflict and genocide prevention approaches.

limiting of international observers, leaders of both governments saw to it that members of the international community who might try to delay or threaten their goals were treated with hostility. Potentially, a breakdown in diplomatic ties can be seen as an early indicator of conflict, according to this logic. If the leader is a part of a group that benefits from existing inequalities, then they might take part in reinforcing those inequalities for increased or continued power or financial gain, per se. Personal incentives for leaders in terms of power and government positions served as a warning sign of conflict that was seen in both Rwanda and Bosnia.

The next indicator of ethnic cleansing is, (4) "Engineer systemic misery". This quote implies the exacerbation of inequality between groups by alienating them from society, and vilifying the group to promote exclusion and the development of hostilities—all done under close government control.[72] Inequality serves a role in all of this, as a leader may make personal choices based on the incentives that they may reap from maintaining an unequal system, or by avoiding resolution to prolong conflict.

In order to achieve the goals necessary to gain such incentives, a leader will pursue policies that create negative perceptions of their enemies, who are perceived as threats to their goals. This can lead to the (5) "killing, mistreatment, and deportation" of members of the unwanted group, by exposing them to violent targeted attacks. Attacks result in either the fleeing or removal of unwanted target groups from the area of control, and clearly reflect the insecurity of the group being persecuted as a warning sign of both conflict and ethnic cleansing. Because of group alienation from

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[72] Ibid.

mainstream society, the group imposing control is strengthened through the removal of moderates, homogeneity, and focusing on common goals, among other factors.[73]

Extreme sentiments of hatred, fear, and loathing evolve from the desire to eliminate existing or potential threats to one's own group survival and success. Targeted violence then escalates to a more indirect and increasingly inhumane approach to ethnic cleansing. This occurs as the time it takes to remove an unwanted population lengthens, and often brings about more violent means of group removal. The goal of these more generic methods is to prevent unwanted international attention by expediting the process of killing, which is done by not expressing restraint against members of a group, and to make it "less emotive" for those involved. Less coercion is used to remove groups, and the perpetrators resort to outright killing for "efficiency" in the removal of the target group perceived as the "threat".[74]

Next, we see indicators of conflict such as private incentives yet again, when a leader will (6) establish or perfect a bureaucratic system with efficient means to "encourage and manage the exodus" of unwanted group(s), including the cooperation of local political leaders.[75] Local leaders may be incentivized to cooperate with systemic brutality against a group by maintaining their position in governance by consenting to group removal operations, or by keeping their life and avoiding personal violence. Again, we see inequality playing a role with the next indicator, (7) restriction of food and supplies to areas with a high concentration of the unwanted population.

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[73] Ibid.

[74] Ibid.

[75] Ibid.

Starvation has historically been proven a very effective tool of war and genocide.[76] By ensuring that certain groups have access to the resources they need to survive while others do not, there is a clear display of intent by leaders to starve a group as a form of eradicating them. This indicator can also be categorized as insecurity, since the economic balance of power is shifting to favor the group in control of resources necessary for survival (the political balance of power is already shifted). This shift in power can serve as a catalyst for violent conflict or retaliation to erupt.

The last two indicators of ethnic cleansing fall under the category of inequality as well, by deconstructing a group's identity, creating or enhancing group-specific deprivation, and subsequently, grievances against the group in power. The next indicator is (8) "destroying a community's will and identity" by also destroying its resistance to elimination. This phase employs the use of random terror, intimidation, humiliation, forced assimilation, propaganda, and removal of the unwanted group's leadership. It could also include the separation of genders to hinder the group's ability to procreate, and this act would legally constitute genocide. This indicator is sometimes a result of the destruction of religious symbols or buildings, or delaying the access to legal documents necessary to leave an area. Finally, (9) the last step in ethnic cleansing would be the elimination of the memory and connection that a group has to the land in which they live or have lived, by wiping out all traces of their existence there.[77] According to Cigar, this step ensures that the ethnic cleansing is irreversible, and the group will never desire to return to the area ever again in the future.

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[76] Ibid.

[77] Ibid.

As we can see, indicators for ethnic cleansing all fit into categories of early warning signs of conflict, some earlier than others. Therefore, by examining indicators of ethnic cleansing, we are also examining larger categories of how to prevent specific group-based conflict. By preventing ethnic cleansing and genocide, we must address the four key variables that they are categorized under.

Now, what is most important is what we do with these indicators of conflict and ethnic cleansing, in order to prevent genocide. Using these early warning signs, we can formulate suggestions for the UNSC. Solutions to specific indicators of ethnic cleansing can also be used for genocide prevention, because of the overlap between certain indicators of ethnic cleansing and early stages of genocide. However, the key distinction between conflict prevention and genocide prevention is that violence will have already broken out in order for warning signs of genocide to be visible. Therefore, if conflict prevention measures fail, then genocide prevention becomes a matter of conflict management, seeking to lessen the rate at which violent conflict may escalate to genocide.

At the point of conflict management, the UNSC is already acting later than is ideal, and time is of the essence in combatting the severity and escalation of the conflict. Failure is not an option if the UNSC wishes to maintain or improve its legitimacy as the most effective body for combatting genocide as a threat to international peace and security. For this reason, genocide prevention is emphasized as the best course of action because there is more time for the UNSC to take action that would save innocent lives. Once time becomes an increasingly important factor after the outbreak of violence, the UNSC has hindered its own chances for success in eliminating genocide, and must switch to conflict management efforts, which makes

the risk of failure more likely than before violence had broken out. Every military intervention is a risk that the UNSC feels it must take in order to protect the existing system. By pursuing conflict prevention and potentially early military intervention—only as a last resort—the UNSC minimizes its own risk of failure in halting genocide.

After we understand the motivation for implementing steps to combat indicators of genocide, is becomes clear how easily genocide can escalate from a situation where ethnic cleansing is taking place. Arguably, the UN Security Council should act as soon as these indicators occur, ideally beforehand, through long-term conflict prevention measures. However, one indicator on its own may not constitute foreign intervention, even if decided multilaterally. It is a tragic afterthought that violence itself may need to be in existence in order to evaluate its likelihood of escalating to genocide. Ideally, early warning indicators of conflict that exemplify ethnic-based indicators will be monitored very closely, and conflict itself will be prevented before the outbreak of violence. By tackling issues such as poverty, development, and group inequality at the source, the international community can avoid ethnic or group-based violence before lives are lost.

Another factor to consider is that the United Nations knows many of these early warning signs, and has taken action in the past, with help from watchdog NGOs and IGOs that monitor corruption and high risk areas for conflict. However, these issues must be framed directly as part of a larger security issue that genocide poses, in order to guide the actions of the UN in a manner which targets early warning signs of conflict directly. We have already explored the bureaucratic hindrances to international intervention in the case of genocide, but what specific steps has the UN Security Council taken that have most recently been proven effective, or ineffective?

How can the UN itself alter the international norm that there is a certain amount of intrusiveness necessary in domestic affairs in order to root out corruption and inequality? There are current international situations of ethnic or group-based hostilities that will test the existing methods, which will soon be revealed.

Indicators of Genocide

According to the International Alliance to End Genocide, there are ten stages of genocide. A notable key variable not mentioned in the stages of genocide, is that

> The strongest and most reliable genocide risk factor is the existence of armed conflict or a change in regime character. Virtually all instances of genocide or mass atrocities since World War II occurred…closely following a major internal conflict or the taking of power by more radical or more harshly authoritarian leaders…other conditions associated with elevated risk of genocide and mass atrocities include history of genocide, autocracy, state-led discrimination, and high infant mortality.[78]

These indicators may not be organized into a neat set of steps, but are equally important to mention if a comprehensive genocide prevention plan is to be created. Not all of the following steps are included in what this thesis considers the "preventive phase", despite a large amount of overlap with indicators of ethnic cleansing as a precursor to genocide. The 10 steps are listed below.

1. Classification
2. Symbolization
3. Discrimination
4. Dehumanization

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[78] Madeleine K. Albright and William S. Cohen, "Preventing Genocide: A Blueprint for U.S. Policymakers", Genocide Prevention Task Force Report (2008) 24

5. Organization

6. Polarization

7. Preparation

8. Persecution

9. Extermination

10. Denial[79]

    Out of the former stages, one through seven can be considered as the *process* by which genocide occurs and escalates, but can be done without the outbreak of actual violence. Steps eight through ten, therefore, would occur only after the outbreak of violence between groups. For the purposes of this thesis, the emphasis for the UNSC on the first seven steps will create the genocide *prevention* aspect of necessary reform. These stages are fairly self-explanatory, especially after having explored ethnic cleansing in-depth. What is more important is how the international community must respond to each stage of genocide. An in-depth explanation of how the stages of genocide can be responded too, can be found below. (1) Classification –At this stage, the most crucial way to reverse the "us vs. them" mentality is to promote tolerance, and create a system of classification that transcends group divisions.[80] This can be done through educational programs, leadership training, and increased cooperation and power-sharing in government. (2) Symbolization—this phase is part of the separation of the group from mainstream society and the dehumanization of the group. The

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[79] Gregory H. Stanton, "The Ten Stages of Genocide", Genocide Watch: The Ten Stages of Genocide (2013). Available from: http://genocidewatch.org/genocide/tenstagesofgenocide.html.

[80] Ibid.

UNSC might be able to reverse these separations through focused educational and political development, such as offering special consultations and training on power sharing in government, leadership training, and mediation services for government officials within a high-risk nation.[81] The importance here is creating relative group equality to minimize existing societal divisions or grievances, and ensuring democratic transitions in government if necessary, which is currently done by UN election monitoring.

(3) Discrimination- this step requires a focus on political equality, the most difficult type of equality to implement. Effective prevention of this step requires that the state grants citizenship to all subjects, a controversy being experienced by the Rohingya Muslims of Myanmar currently. The discrimination facing the Rohingya will be analyzed later on. There are also legal measures which can be taken at this step, including suing the state if discrimination is occurring and individual rights are being violated. (4) Dehumanization- this step can lead to violence because the inhumanity is taken away from the act of murder. Dehumanization is primarily instigated by state leadership, and may call for a response that involves punitive measures to be taken, especially if incentives from earlier steps were ineffective. Individuals must immediately be held accountable by leadership for actions which promote hate speech. Ad hoc tribunals are effective for purposes of seeking justice after genocide, but the very fact that they are ad hoc may signal a lack of preparedness on behalf of the international community for dealing with instances of genocide.

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[81] Madeleine K. Albright and William S. Cohen, "Preventing Genocide: A Blueprint for U.S. Policymakers", Genocide Prevention Task Force Report (2008) 24.

(5) Organization- During this step, plans are made for genocidal killings, they are not spontaneous. To combat this stage,

> …Membership in militias should be outlawed. Their leaders should be denied visas for foreign travel. The U.N. should impose arms embargoes on governments and citizens of countries involved in genocidal massacres, and create commissions to investigate violations, as was done in post-genocide Rwanda.[82]

(6) Polarization- This phase is comparable to an indicator of ethnic cleansing, removal of moderate opposition, using methods of intimidation and humiliation. Prevention of this step may include "security protection for moderate leaders, or assistance to human rights groups".[83] This type of action would be categorized under new peacemaking guidelines. The UNSC can encourage that assets of extremists are seized, and visas for international travel denied to them by its member nations. Any occurrence of a coup d'état by extremists should be opposed by international sanctions. However, this particular approach can be morally ambiguous because it would imply that non-impartiality is no longer being utilized in whole.

(7) Preparation – preparation is synonymous with enacting more efficient methods of group removal and mass killings under a system. Prevention of preparation may include, "arms embargos and commissions to enforce them...it should include prosecution of incitement and conspiracy to commit genocide (both crimes under Article 3 of the Genocide Convention),"[84] but only when enough evidence is available

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[82] Gregory H. Stanton, "The Ten Stages of Genocide".

[83] Ibid.

[84] Ibid.

to pursue such charges. This step would conclude preventive measures for genocide, as violence is most likely to have broken out by this stage.

(8)Persecution- this stage distinguishes genocide from ethnic cleansing and other indicators of conflict that would have led one to this point. Not only does the approach switch to management of the violence, but we enter the category of genocide because of displayed intent to destroy a group. This change can provide the legal justification for prosecution based on the intent of leaders. A horrible truth of this stage is that groups are now victim to extreme atrocities, including segregation, deportation, and starvation, among others.

> Genocidal massacres begin. They are acts of genocide because they intentionally destroy part of a group. At this stage, a Genocide Emergency must be declared. If the political will of the great powers, regional alliances, or the U.N. Security Council can be mobilized, armed international intervention should be prepared, or heavy assistance provided to the victim group to prepare for its self-defense. Humanitarian assistance should be organized by the U.N. and private relief groups for the inevitable tide of refugees to come.[85]

The critical preventive aspect of stage eight is military action. If genocide prevention has failed to this point, this step is the "red-line" (when an organization or state can no longer avoid intervention because it would conflict with their interests), must be drawn for the latest possible peacekeeping intervention if it has not already occurred under guidelines for peacemaking. This is also true in preventing the next step, (9) extermination. During this stage, all available resources must be focused on ending the conflict and protecting civilians of the group that is being targeted for removal. The UNSC must undertake reform measures in order to be more effective at

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[85] Ibid.

implementing this preventive step of extermination. These reforms are explained in the following chapter.

(10) Denial is the final step in any genocide. The response to denial is punishment by an international tribunal or by national courts. There, the evidence can be heard, and the perpetrators punished. "Tribunals like the Yugoslav or Rwanda Tribunals…or an International Criminal Court may not deter the worst genocidal killers. But with the political will to arrest and prosecute them, some may be brought to justice."[86]

These ten steps of genocide not only compare to the indicators of early conflict and ethnic cleansing, but draw distinctions in how intent and certain actions of leaders may create different circumstances under which genocide may occur. They are not the total authority on defining when genocide will occur, there are various factors that influence the situation, which is why each UNSC action or intervention must be carefully tailored to the indicators of violence that it is preventing.

> There are also key triggers that can tip a high-risk environment for genocide into crisis. These include unfair…elections; high-profile assassinations; battlefield victories; and environmental conditions (i.e., drought) that may cause an eruption of violence or heighten the perception of an existential threat to a government or armed group. Sometimes potential triggers are known well in advance and preparations can be made to address the risk of mass atrocities that may follow. Poorly planned elections in deeply divided societies are a commonly cited example, but deadlines for significant policy action, legal judgments, and anniversaries of highly traumatic and disputed historical events are also potential triggers that can be foreseen.[87]

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[86] Ibid.

[87] Madeleine K. Albright and William S. Cohen, "Preventing Genocide: A Blueprint for U.S. Policymakers", Genocide Prevention Task Force Report (2008) 37.

By outlining various approaches for the international community, and highlighting some for the UNSC specifically, we are in a better position to propose reform measures so that the UNSC may take preventive action and halt genocide in its tracks, or even reverse the process to create peace in high-risk areas.

It is important to mention that these steps might be considered conflict prevention in the sense that they seek to prevent the outbreak of *violence*. A more specific description of the approaches outlined above might be *violent* conflict prevention, rather than conflict prevention measures alone. The conflict itself, while not necessarily violent, has already appeared before indicators of ethnic cleansing or stages of genocide are visible. Therefore, from a broad technical perspective, genocide prevention would be categorized under conflict management. This thesis emphasizes the prevention of violence wherever possible, and that it why conflict prevention measures had to be clarified first. Whenever possible, long term conflict prevention measures should be taken. However, with the urgent threat of genocide in our midst currently, it is important to also have in place warning signs of the more specific threat to international peace and security. In this sense, prevention and management are equally necessary, until the distant point at which prevention methods will be so effective that management efforts are no longer needed.

UNSC Action

As we have seen in Rwanda, and at times during the genocide in Bosnia, determining if a situation constitutes genocide is a highly political matter, but chiefly a legal one. Even when stipulations of genocide, including intent to destroy a group in whole or in part, have been proven according to its legal definition, there has still been a lack of action. Members of the Council have shown reluctance to "recognize the

truth before them or to see it publicized because they do not want to act" because of

domestic limitations.[88] We cannot force UNSC action, but we can expose the truth for

the masses to access, by establishing specific criteria for the warning signs of

genocide. In having these early warning signs, the UNSC would be more able to have

in place a preventive solution at the ready for future instances of genocide. The

development of any organ within the UN tasked with analyzing information that might

prevent peacekeeping and acting in a timely manner upon this information must

maintain legitimacy and the respect and trust of member nations, as well as

"objectivity over political correctness," in order to be effective.[89] This change must be

reflected in the UNSC as well, potentially through its expansion, as we have reviewed.

The matter of enforcement of global objectives by the UNSC must be tackled

by the international community, as a Rapid Deployment Force would be a new

occurrence for a peaceful organization like the UN. This issue of enforcement applies

to ad hoc tribunals and international courts as well, in that those who have committed

acts of genocide are punished, but with greater consistency and in a way that sets a

stronger precedent to deter similar action by leaders in the future.

Resources and political will are also important to have in place before the

outbreak of conflict. In building political will, often it is necessary to impose some

sort of urgency, but certainly not panic. By framing the situation as a threat to the

stability and security of the international system, there is a greater possibility for

[88] Fen Osler Hampson and David Malone, *From Reaction to Conflict Prevention: Opportunities for the UN System,* The International Peace Academy (Boulder, CO: Lynne Rienner Publishers, 2002), 265.

[89] Ibid., 266-267.

combatting it with every resource available. By mistakenly framing the situation as only a humanitarian concern, there was not enough urgency in taking preventive action. While humanitarian concerns may serve as a useful warning sign of conflict, once the conflict has escalated at a certain rate or through the use of certain methods (or with an intent to destroy, if present), humanitarian concerns are not enough to justify necessary UNSC action, with the necessity indicated by warning signs of ethnic cleansing. Without the military might to support an operation of extreme severity, or an established international obligation for outside actors to intervene in cases of genocide, there will be no action if the conflict does not directly impact the interests of many member nations, or their collective security. In justifying military action, it is important to closely monitor political and economic catalysts for violent conflict as well. The UNSC does not need to address every single situation where there is conflict as a threat to international peace and security, but must be closely monitoring all aspects of any group-based conflict and be prepared at any moment to take action if the critical indicators do appear.

By prioritizing matters of conflict as threats to international peace and security, the UNSC exerts agenda-setting power over its member nations and at least brings the issue to light. This acceptance is the first step in early conflict prevention for the UNSC. Some have encouraged the increased use of the informal "Arria formula, for consultations with nongovernmental groups".[90] This approach allows for more frequent meetings among UNSC members for informal dialogue, on issues which they think are of great importance. While this practice would increase discussion, it would

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[90] Ibid., 265.

hinder the legitimacy of the Security Council because of the lack of transparency involved with these meetings.

In addition to independent Security Council action, critical information should be brought before the Council more frequently, with the help of other relevant organizations and bodies of the UN. The Secretary General is expected to bring issues to the UNSC that, in their opinion, "may threaten the maintenance of peace and security," such as a potential occurrence of genocide, by invoking Article 99.[91] The UNSC has been criticized in the past for being unreceptive to the information brought before it. Here again, the issue returns to acceptance and recognition of genocide by the Council. By doing all that we can to raise awareness of an ethnic or group-based conflict by establishing and recognizing early warning signs for its potential escalation, and bringing this information to the attention of the Security Council, the accountability for genocide shifts to the Council, to take that next step and authorize timely action under internationally established norms.

> In recognizing genocide as a crime, and placing the responsibility of its prevention on the shoulders of the UN and the UNSC, international society entrenched a legal understanding that cannot simply be ignored if the UN and the UNSC are to hold on to their perceived legal, moral, constitutional authority.[92]

Once we are able to perceive and frame genocide as what it truly is—a threat to international peace and security—then the UNSC should take timely action. As we have seen, recommendations for reform have not been accepted or implemented

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[91] Ibid.

[92] Adrian Gallagher, *Genocide and its Threat to the Contemporary International Order* (UK: Palgrave Macmillan, 2013) 103.

quickly enough to constitute a dramatic change in the success of the UNSC to prevent genocide. Once these reforms have been enacted, however, the next step in preventing conflict for the UNSC is ensuring that it has the proper resources under its jurisdiction to take necessary action. This would come in the form of a Rapid Reaction Force, with the ability to "be ready on a moment's notice to intervene with decisive force anywhere around the world to stop or prevent genocide".[93] Such a force would fall under the new guidelines of peacemaking as opposed to peacekeeping. These new guidelines must be considered in order for the UNSC to move forward in preventing future genocide, and becoming a more legitimate force in combatting the threat that genocide poses to international peace and security.

Specific cooperative actions that the UNSC can take in order to respond to indicators of both conflict and genocide include but are not limited to: dialogue facilitation, mediation, negotiation support, technical assistance, observer missions, data analysis, recognition, membership, and incentives. Coercive measures that the UNSC can take include multilateral condemnation, naming and shaming, referring individual to international courts, and interventions.[94] More specifically, below are a few steps that can be taken by the UN and the Council, offered by Genocide Prevention Task Force Report (2008).

Short-term approaches:

- Framing genocide as a threat to international peace and security

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[93] Kenneth J. Campbell, *Genocide and the Global Village* (New York: Palgrave, 2001) 106.

[94] Madeleine K. Albright and William S. Cohen, "Preventing Genocide: A Blueprint for U.S. Policymakers", Genocide Prevention Task Force Report (2008) 61.

- Indicators of ethnic cleansing and genocide should trigger an automatic addition of the situation to the next agenda if not an emergency meeting of the permanent five members, in order to take immediate policy action
- Launch increased diplomatic efforts at inclusion of leaders of high-risk areas
- Focus the available resources provided by member nations on the urgent conflict at hand. This entails consolidation, centralization, and a more legitimate UNSC moving forward, in order to capture the confidence of the nations it represents (these reforms are outlined in the following chapter)
- Establish training measures for UN staff to recognize early warning signs of conflict and genocide, and conflict prevention measures that they can help to enact
- Have a plan in place: formulate policies for intervention and preventive response *before* the outbreak of the next occurrence of genocide
- Cut off tools used for modern warfare by minimizing arms proliferation
- Offer leadership of high-risk areas incentive for peace using inclusion at the UNSC. This can employ coercive measures such as offering specialized training for officials and monitoring of peaceful elections, and humanitarian aid (much of this is already underway)

Long-term approaches:
- Increase development measures for a long-term approach to genocide prevention. These development measures should be aimed at the causes

of conflict, particularly (relative group) inequality that will create a
sense of security and shared well-being among groups.[95]

- Institute a monitoring committee for nations at high risk for genocide,
  and to review relevant data from NGOs. This proposal will be explored
  in the final chapter on future implications. This committee in
  conjunction with the Council and the Secretary General would be
  tasked with highly controversial task of drawing a "red-line" for
  intervention for each individual case of genocide as well.

These actions, intended to be utilized where appropriate by the UNSC to prevent
genocide, require serious reform of the UN, if not a change in internationally accepted
norms. This next chapter seeks to inform readers on how reforms made to the UNSC
would better allow the organ to employ such actions. Through reform and greater
legitimacy, the UNSC could be the best version of itself, as the top international
authority on genocide prevention.

In summation, we have explored four categories of early warning signs of
conflict, and compared them with various indicators of ethnic cleansing. We then
compared these patterns to the ten stages of genocide, and preventive responses which
should be pursued by the international community. Some steps seek to prevent
violence, others seek to manage it. This thesis attempts to emphasize preventive
measures, before the official outbreak of mass violence but not necessarily before
conflict itself. By outlining early warning indicators, the UNSC can take a more
proactive approach in combatting kay variables which create conflict, and thereby,

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[95] Ibid., 41.

genocide. The next chapter will explore specific reforms that the UNSC must undertake in order to become a more effective body for combatting genocide as a threat to international peace and security. While some of these reforms may be more general in nature to increase the overall legitimacy of the organ, they seek to pursue a long-term framework for making the UNSC the most effective international authority in preventing and combatting genocide in the future.

Chapter 4

THE CHANGING ROLE OF THE UNSC IN PREVENTING GENOCIDE

The Flawed UN Security Council

"The Security Council reflects the world of 1945 and not the twenty-first century's distribution of power".[96] The first part of this statement is undoubtedly true. The United Nations was formed in 1946 as an intergovernmental organization intended to maintain international peace in the post-conflict world of World War II. According to the United Nations Charter, the Security Council, being one of the UN's six organs, has the responsibility to maintain international peace and security.[97] Genocide, as one such threat, has not been properly addressed in a way that will prevent the threat to peace and security from reemerging.

The Council is highly controversial due to the criticism it has invoked since its conception regarding the special veto powers given to the five permanent members of the Council. Another controversial aspect of this Council is that all member nations of the United Nations must meet the terms of Council decisions, as is stipulated in Articles 25 and 48 of the UN Charter. The Security Council, however, does not have a permanent member nation with veto power from the developing world, or as it is commonly referred to, the third world or global south. This lack of representation is

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[96] Thomas G. Weiss, *What's Wrong with the United Nations and How to Fix it* (Cambridge, UK: Polity Press, 2008) 55.

[97] United Nations, Charter of the United Nations (24 October, 1945).

one aspect that many believe is reason enough to consider taking reform changes to the structure of the Security Council, and to make it more inclusive to nations worldwide. By including diverse nations in the decision-making process, the UNSC can shape the most comprehensive and culturally-sensitive plan of action possible, encompassing the best ways to combat genocide, as well as the support of more member nations.

In the minds of critics, expanding membership of the Council to include an actor from the developing world, per se, would solve some of the issues surrounding the legitimacy and democratic functions of the Council. The developing world is also the place of conception for much of the conflict that faces our world today, and has been an incubator for genocide in Rwanda, and currently Burundi. Nations from this type of environment may have important insight on how to best create political equality in governance of ethnically diverse states, and such insight could be offered as consultation to the UNSC on matters of genocide. They could also have a lot to learn! However, many such nations have not been provided a voice among the members of the Council. This oversimplified theory of greater inclusion excludes the possible repercussions and added ineffectiveness of the Council potentially resulting from such an action. It could also upset the balance of a powerful international body. The UNSC, while it should expand in order to achieve its goals, must also be cautious to limit the extent of this expansion in order to facilitate the continuity, if not improvement of, its swift decision-making purpose. Threats such as genocide require quick and decisive action, and a cumbersome decision-making process should not be the unintended result of this possible reform.

The need for dialogue on the potential reform of this Council is one aspect that all experts can agree on. In this examination, we will explore the idea of expanding membership of the UNSC, and analyze the most widely accepted proposals for potential expansion in membership of the UNSC. This discussion will unravel the positives and negatives of each idea, and discover which the best fit is for our dynamic international system. Finally, it is important to highlight which methods would be most effective in conflict prevention and more specifically, genocide prevention. The best methods would bring to light future aspects of maintaining peace and security that must be addressed with growing urgency, such as human rights violations and development. The future of the Council and the future of genocide prevention are interrelated. The UNSC depends on such reforms if it will become a more effective leader of peacekeeping initiatives in preventing genocide.

Problems of Current Structure

In order to understand the role of the Security Council, one must acknowledge a central theory of global governance: global issues must be solved multilaterally.[98] The UN Security Council should be the key actor playing a central role in these multilateral efforts, as the responsible international body charged with maintaining international peace and security by solving pressing issues such as pandemics, terrorism, food and oil prices & effects, financial market meltdowns, nuclear weapons proliferation, humanitarian crises, poverty, failed states, and conflicts.[99] Genocide is

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[98] Thomas G. Weiss, *What's Wrong with the United Nations and How to Fix it* (Cambridge, UK: Polity Press, 2008).

[99] Ibid., 1.

not listed specifically in these notable threats, but it should be. This thesis offers ideas as to why it must be a central part of the agenda.

In order to more effectively respond to and even prevent these pressing issues, the UNSC needs to be restructured, and there are a variety of existing proposals to expand both permanent and non-permanent membership of the Council, which will be explored before the conclusion of this chapter. By taking initiative on these issues but neglecting to improve infrastructure that would allow the Council to act swiftly if genocide arises (and ideally, *before* it arises), the UNSC accepts the initial causes of genocide and seeks to manage the effects, but does not deal with the middle step of establishing concrete conflict prevention-specific methods for dealing with these occurrences. Addressing global issues from a perspective of preventing future escalation of conflict to genocidal levels would allow the UNSC to lessen its own workload in the future, and increase its legitimacy in the now.

If the UNSC were to put off this security issue until later, it is likely to become much more costly, and will be harmful to the legitimacy of the UNSC as an organ with the ability to take action against threats to international peace and security. While expensive and time consuming in the present, at least the UNSC is currently around to deal with these concerns. If the Council waits to take action to manage genocide after it has already caused its damage, there exists a dangerous notion that the Council may not be around long enough, or be legitimate enough at that future point, to take action at all.

The investment of restructuring and expanding membership now would pay off on a global scale, and increase confidence in the UNSC to be an effective decision making-body with global interests of peace and security at heart, instead of simply the

individual interests of the P5 members. A more democratic and legitimate UNSC can better organize and mobilize member nations around a unified response to threats to international peace and security, such as genocide. This reform of the UNSC has the ability to affect the political will of its member nations. Reforms can be difficult to bring about in a bureaucratic environment that is resistant to change, but positive changes would be consistent with norms that promote multilateral efforts in response to global issues. In this section, we will explore the current structure and how it hinders the ability of the Council to take action that could have prevented genocide in the past. By considering its current flaws, we see where each potential suggestion for reform best fits into the needs of the Security Council of today and tomorrow's world. Available reforms that are under consideration could aid the Security Council in taking more inclusive action with global support to prevent genocide.

The Council is the only UN body with both permanent and nonpermanent members.[100] The current structure of the Security Council is a fifteen member body, with five permanent and ten non-permanent members. The five permanent members are China, France, the Russian Federation, the United Kingdom and the United States of America.[101] The current non-permanent members until the end of their two-year term are Chad, Chile, Jordan, Lithuania, Nigeria (expiring in 2015, soon to be replaced by Egypt, Japan, Senegal, Ukraine, and Uruguay) in addition to Angola, Malaysia,

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[100] Ibid., 110.

[101] United Nations, *Charter of the United Nations*, (24 October 1945).

New Zealand, Spain, and the Bolivarian Republic of Venezuela, with membership expiring in 2016.[102]

These non-permanent members are elected for two-year terms by the General Assembly, after a nomination by one of five regional groups. At least four non-permanent members must vote for a resolution in order for it to pass. A certain number of non-permanent seats are reserved for each region. Asia and Africa together are allotted five seats, Latin America is allowed two, Western Europe is allowed two, and Eastern Europe is allowed one seat.[103]

All members, both permanent and nonpermanent, take part in the rotating Presidency for one month at a time. According to the official United Nations Security Council Website, more than 60 United Nations Member States have never been Members of the Security Council. A State which is a Member of the United Nations, but not of the Security Council may participate, without a vote, in its discussions when the Council considers that country's interests affected. Both Members and non-members of the United Nations, if they are parties to a dispute being considered by the Council, may be invited to take part, without a vote, in the Council's discussions; the Council sets the conditions for participation by a non-member State.

A more inclusive UNSC would ensure that issues facing nations at risk for genocide are not overlooked. While concerns can be brought before the UNSC by outside organizations, the Council is more likely to see the importance when one of its

[102] Siobhan O'Grady, "Meet the 5 Newest Members of the U.N. Security Council", (Foreign Policy Magazine, 15 Oct. 2015) <http://foreignpolicy.com/2015/10/15/meet-the-five-newest-members-of-the-u-n-security-council/>.

[103] Karns and Mingst, 110.

own members is experiencing domestic conflict. By bringing individual concerns to the table directly, rather than through an outside organization that monitors conflict, early warning signs can be addressed sooner. Because of the lack of representation among the UNSC, nations from the developing world have one less forum at which to express their concerns related to international peace and security. Providing a more diverse forum might offer these nations a chance to not only discuss their concerns, but a chance to get to know the UNSC as an insider and view it in a more positive light. This is an assumption of course, but understanding the UNSC as a member may at least encourage positive developments in discussion content.

The Security Council is not a "sealed chamber", immune to pressure or deaf to voices outside its walls. Thematic meetings on urgent issues are held, in addition to crisis response meetings. Also, states which contribute peacekeeping forces regularly may participate in informal consultation with the Security Council.[104] Hampson (1995: 4) is quoted in Karns and Mingst, who reiterate the point that the sheer number of members acting as part of this Council "introduces a qualitatively different kind of diplomacy in international politics...the hallmark of this diplomacy is that it occurs between groups or coalitions of state actors".[105] One of the many positive aspects of the UNSC is that it does provide the opportunity for emerging threats to international peace and security to be added to its agenda.

The UNSC-authorized peacekeeping forces, under current conditions, can do little in terms of a military intervention unless the legal criteria for genocide are met. It

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[104] Ibid., 111.

[105] Karns and Mingst, 26.

can however, authorize humanitarian aid where possible, monitor situations of escalating conflict, and discuss future management efforts—all of which becomes easier to implement with the cooperation of UNSC member nations. Therefore, increasing the democratic tendencies of the UNSC as well as its inclusivity will help it more effectively address genocide with a unified response, rather than being inhibited by a lack of will on the part of its members.

Also at the UNSC is where non-governmental organizations (NGOs) and international organizations (IGOs) become key players in the function of the UN. IGOs are said to play a role in "setting the agenda for global governance".[106] They rely on their own credibility because their purpose in the international community is to "serve others rather than exercise power".[107] Organizations such as NGOs and IGOs, however, are rarely immune from political cleavages. Karns and Mingst quote Cox and Jacobson (1973: 425), who use the example of the North-South dichotomy of the 1970s and 1980s, which brought a "shift in dominant ideology for international organizations from functionalism to developmentalism".[108] Under the pressure of developing countries, functional organizations expanded the scope of their activity, often into more politically controversial issues".[109] Therefore, the international community can no longer solely rely on hegemons to preserve peace and security, especially newer threats like genocide that require a different approach from old

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[106] Ibid., 17.

[107] Ibid., 18

[108] Ibid., 89.

[109] Ibid., 18.

peacekeeping methods or unilateral action. The leading powers on the Security Council, particularly the five permanent members or P5, must cooperate with international organizations as well as the diverse member states of the UN to serve its purpose, and to act against threats to international peace and security with the greatest possible legitimacy.

Another body of the UN working alongside the Security Council is the General Assembly. There has been controversy over the respective roles of these two bodies under the "Uniting for Peace" resolution, over which the GA claimed authority to recommend measures when the Security Council was deadlocked by a veto, via emergency special sessions.[110] The GA shares responsibility for charter revision with the Security Council. Two-thirds of all member states, plus all P5 members, must ratify changes. This has only been done in two instances--the enlargement in membership of both the Security Council and ECOSOC.[111] The GA can also give advice with respect to peacekeeping operations. However, only the Security Council can authorize the use of armed force, and since 1945 it has been the only organ of the UN that is authorized to use force.[112] In summation, Karns and Mingst would argue that the GA is cumbersome for dealing with situations of peace and security, yet is most useful for symbolic politics of agenda-setting and mustering large majorities in support of resolutions. There has been a steady decline, however, in "the role of the

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[110] Ibid., 109.

[111] Ibid., 103.

[112] United Nations, "Charter of the United Nations," 24 October 1945, 1 UNTS XVI, Chapter VII, Article 42, available at: http://www.un.org/en/sections/un-charter/un-charter-full-text/index.html [Accessed 16 January 2016].

GA as well as G-77 members since the mid-1980s due to eroding consensus, which has led to changes in U.S. and Soviet policies and the increased role of the Security Council".[113] Because of the increased role of the UNSC, it sets itself up to be the leading authority on issues of international security and peace. In order to combat genocide effectively and ensure the future success and stability of our international system, the UNSC must enact reforms that would increase its legitimacy, and thereby allow the Council to take comprehensive action in preventing genocide sooner.

Suggested Criteria for Reform

According to Thomas Weiss, the default solution to international problems within the UN system is always "to add—never subtract or consolidate—bureaucratic layers".[114] To him, "the most obvious solutions to the dispersal of UN efforts and resources … [are] consolidation and centralization."[115] Weiss sums up the purpose of consolidation and centralization by reiterating that the UN has been hindered by "competition for funding, mission creep, and by outdated business practices" for some time, and the first step towards greater progress is internal reform by minimizing the unnecessary competition between UN operations that limit its effectiveness. By organizing activities involving genocide prevention under the UNSC—an organ that is able to act and make decisions much more quickly than other organs of the UN—the organization would likely experience greater efficiency in preventing the outbreak of

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[113] Ibid., 109.

[114] Weiss, 101.

[115] Ibid., 104.

genocide. Condensing available resources is absolutely crucial to the ability of the UNSC to respond to genocide. If resources for military and humanitarian operations continue to be overextended and spread out across various organs and organizations, member nations are much less likely to contribute to a new threat that appears outside their own region of the world. Through consolidation under one organ with the ability to authorize peacekeeping troops, action can be more organized and effective in combatting genocide when it is called for.

Peter Danchin and Horst Fischer elaborate primarily upon the results of a study done by the Secretary General's High Level Panel on Threats, Challenges, and Change published in 2004, which reviewed the existing structure of the UNSC and potential proposals for expansion based on the principle issues surrounding the current structure and credibility of the Council. The High Level Panel (HLP) mandated that basic criteria for reform must include,

> (1) Member states which contribute financially, militarily, and diplomatically need increased involvement in the decision making of the Council; (2) the Council needs broader membership, especially in relation to states from the developing world; (3) any changes in membership cannot impair the effectiveness of the Council; and (4) the Council must be made more democratic and accountable.[116]

The general consensus on at least these first two points has been reiterated by many experts on the subject of the potential expansion of the UNSC as well. The Council has come under fire for its lack of diversity and has been criticized for lacking equitable representation, as its current structure represents less than eight per cent of

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[116] Peter G. Danchin and Horst Fischer, *United Nations Reform and the New Collective Security* (Cambridge, UK: Cambridge University Press, 2010) 25.

total UN membership.[117] While the UN Charter does not specify diversity as a criterion for membership, it does specifically seek the willingness of Council members to contribute to the maintenance of international peace and security. These reforms are necessary to combat genocide because peacekeeping and aid operations require a steady amount of resources for missions to be successful. The careful actions of the UNSC should reflect the importance of its member's contributions.

Additionally, with a more inclusive representation of the world, many more diverse points of view at the UNSC would be given a greater say in how to prevent or combat emerging threats to international peace and security. Diversity leads to the exchanges of new or different ideas, and the UNSC may be currently focusing on a less effective Western approach to genocide, without even realizing it. While the Council may make every effort to bring in relevant organizations when necessary, the decision as to when it is necessary may cause the organ to miss out on crucial perspectives that should always be present in the discussion of threats to international peace and security.

The Allied powers of WWII had established the structure of the UNSC to allow themselves special privileges in return for relinquishing sovereignty to the United Nations. Largely influenced by the U.S., even in some ways created in its image, the UN has largely lacked U.S. support on many treaties, out of concern for American sovereignty. U.S. national interests continuously trump those of the international community. Financial and military contributions, as well as veto power as a member of the P5 have largely kept the importance of the role of the U.S. above

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[117] Karns and Mingst, 110.

others members despite their claim to equal sovereignty. This poor international perception has led to the increased alienation of the struggling developing world, in contrast to the success of the "Great American Century".[118]

The (HLP) wishes to "revive the largely ignored criteria of financial, military, and diplomatic contributions as part of selection and re-election qualifications of those aspiring to membership".[119] It also becomes a serious issue with the potential expansion in membership that a gridlock would occur over political differences or conflicting national interests, impairing the decision-making ability and therefore effectiveness of the Council in times of violent crisis, such as genocide. It is necessary to balance issues in order to consider the limit of how many members could be added to the Council, due to the fear that reform would upset the balance by making it "too large to conduct serious negotiations, and too small to represent the membership as a whole".[120] Such hindrances would in turn delay action when indicators of genocide are present, leading to failed conflict prevention and a damaged reputation for the UNSC.

The HLP continues to elaborate on the more complex criteria for reform, and more specifically for enlargement, once the initial basic criteria have been met by potential member nations. By outlining goals of "increasing of both its effectiveness and its credibility, and paramount to all else, the enhancement of its capacity and willingness to act in the face of threats".[121] It determined that firstly, consensus was

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[118] Joseph S. Nye, *The Future of Power* (Public Affairs, 2011).

[119] Ibid., 56.

[120] Ibid., 56.

[121] Danchin and Fischer, 96.

absolutely crucial, specifically regarding the nature of today's threats, the obligations of broadened collective security, on the necessity of preventions, and on when and why the Security Council should authorize the use of force. Next, greater contributions from those with special decision-making authority, as well as greater efforts to include all those who contribute substantially (for example, Germany and Japan), in addition to greater consultation between the Council and bodies charged with implementing its decisions.[122] Once again, contributions are crucial to any UNSC operation that might attempt to prevent or combat genocide. The members that contribute the necessary resources must be included in the decision as to how resources are allocated, and how they will specifically target short or long-term indicators of conflict and genocide.

One may assume that increased transparency would be included in this assessment. What the HLP is referring to when it discusses "contributions" means military, financial, and diplomatic contributions made from each country to the UN. The HLP outlines a very specific target goal of a minimum financial contribution to the equivalent of 0.7 per cent of the GDP of the member nation.[123] Developing nations will need to work harder to achieve this target goal than the more developed member nations with economic means. This suggestion by the HLP is aimed at improving the productivity of the organization through funding its operations in the most equal manner possible. It would also like to see greater representation via broader membership specifically from the developing world, in a way that increases the democratic nature of the Council without impairing its effectiveness.

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[122] Ibid., 96.

[123] Ibid., 96.

The last recommendation made by the HLP is the idea that the Security Council should have a more proactive response in the future, by expanding upon its ability to act as an empowered body. By this, the HLP refers to broadening the scope of the council, outside of just interstate war and conflict.[124] By extending the main purpose, legal authority, and moral duty of the Council to act in a variety of scenarios, the role would expand alongside the more inclusive membership. With such an extension in the role, there would be an even greater need for the Council to be viewed as legitimate to ensure the respect and cooperation of UN member nations. The future of the Council relies upon increased legitimacy, if the expansion of its roles is ever going to include a wider scope of international operations.[125]

A proactive and preventive response to genocide should be part of this plan. Reforms that improve the legitimacy of the UNSC will allow it to take proactive action where appropriate. In creating conditions for peace as part of this proactive response, the UNSC will be able to create a sense of security and shared well-being for the international community. By being more inclusive and inviting to member nations of the UN, the Council would improve its prospects for political coordination and cooperation among nations through dialogue and mediation initiated early on, directly with leaders and officials of "at-risk" countries. This early inclusivity would allow the UNSC to take action that holds individual leaders accountable, or gain a better understanding of circumstances surrounding early indicators of group-based conflict. This reform could potentially also help nations that may be at risk for conflict

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[124] Ibid., 110.

[125] Ibid., 112.

by including them in the discussion of the world's most pressing international peace and security concerns, including the need for international intervention and its potential repercussions, on a case-by-case basis.

The HLP makes a specific point to note that,

> "The Council's legitimacy deficit will not be reduced by enlargement of the permanent membership. The Council is not viewed as illegitimate because it is 'unrepresentative'. Even if it were, would adding four new permanent members (referring to Germany, Japan, India, and Brazil) make the Council suddenly democratic? Not really".

The HLP views the Council's main obstacle to achieving legitimacy as a deeper problem. They claim after extensive analysis that the issue is "systemic and far-reaching … [stemming] from the fact that Council members and (non-members alike) continue to promote a never-ending game of classical realist international politics. The game creates structural winners and losers, and allows the winners to draft peace treaties and write the histories".[126]

While this issue may be deeply ingrained in international relations theory, the actions that the Security Council must take to increase its legitimacy and effectiveness are real, practical, and more pressing than ever. There are several proposals which outline the details for potential enlarged membership, which is the first step towards tackling the issues surrounding the Council. They strive to encompass the demands of the international community, balanced with the future goals of the existing Council.

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[126] Ibid., 112.

Options for Potential Enlargement and Relevant Concerns

Danchin and Fischer consolidate the recommendations of the HLP by outlining two main existing proposals offered by Kofi Annan during his time as Secretary General, as well as other less widely accepted ideas proposed by regional bodies, but sometimes endorsed by individual members of the P5. Model A for a 24 member council would include the expansion of the current P5, plus 10 non-permanent members elected to two-year terms, therefore allowing for 6 new permanent seats and 3 new two-year term non-member seats. Model B for a 24-member council creates a category of 8 four-year renewable terms seats and 1 new two-year term nonpermanent (and non-renewable) seat. Model B offers no new permanent member seats. Both Model A and Model B maintain veto rights exclusive to the P-5, and seats would be divided among major regional areas.

Besides these two widely-supported proposals, many others have entered the discussion at the assertion of regional bodies that feel marginalized by the current structure, and bring new ideas into the limelight. For the sake of consistency, these models will be labelled in the order by which they appear in the piece by Danchin and Fischer, in the same alphabetical format as Model A and B. "Model C" would increase the UNSC membership to twenty five by adding ten new seats, four permanent and 6 non-permanent, including Germany, Japan, Brazil, and India, and two for unspecified nations of Africa. "Model D" would also have twenty-five members, but by adding ten new two-year non- permanent seats with provisions for re-election, and no new permanent member seats. "Model E" calls for twenty-six council seats with veto power, along with five new nonpermanent seats. "Model F" would include a twenty-one member council with six longer-term, "double-digit" renewable seats (10+ years).

Despite each of these ideas having its individual merits and drawbacks, some actors remain un-swayed that these will offer a solution to the problems facing the Security Council. African nations remain firm that they will accept no second class membership to the Council. There has also been discussion of offering a collective seat the European Union; however, this would require amendment to the UN charter as well as consideration of seats for non-state actors, such as other regional bodies. The diverse natures of these proposals reflect the need for greater diversity and inclusion within the UNSC, and the different global interests that must be respected. Many have called for a complete removal of the P5 veto power. In this instance, one must remember historical circumstance surrounding the creation of the UN, the UN Charter, and the UNSC, because neither the United States nor the former Soviet Union (and now Russia) would have accepted UN membership without the veto power that the P5 permits.

While the UN differed from the League of Nations in many ways, the creation of the UNSC and the P5 was one of the most important ways in which the UN was more effective. Because of the P5 power, the UN could survive long term, and powerful nations would no longer simply exit the organization if they disagreed with a decision of the international community. With the creation of the veto power, member nations of the P5 had a protective safety blanket if they disagreed with an international decision that contradicted their domestic interests. This unique position not only offers them an incentive to stay and to contribute their resources to the organization, but a position of importance in the international decision-making forum, and a position of great influence. While it would hurt even the world's most powerful nations to exit the

UN, they would still likely reject the idea of giving up their precious veto power, making it an unsuitable option for reform.

Others argue that the Council should add more permanent members to better reflect the current geopolitical and economic realities, including the proposed addition of Germany and Japan, as well as one to two members each from Africa, Asia, and Latin America.[127] In three separate models, either all of these new permanent members would have veto power, none would have veto power (again, unlikely), or the current P5 only would retain the veto power and new permanent members would not be able to exercise this. To be clear: the UNSC must expand in order to be more representative, democratic, and legitimate to the member nations of the UN. However, this expansion should not hinder the Council's unique ability to make expedient decisions and act quickly to combat threats to international peace and security, such as genocide. Therefore, the expansion should be limited. This thesis simply provides a few options for what this expansion might look like. The debate as to the number of members this may include, or from where, is still highly contested for reasons that aggressive expansion may hinder its efficiency and ultimate purpose.

The main criticism of the HLPs report is that it does not address why the Council was created, or how or why it might change. The authors remind their readers that the "essence of the Security Council is privilege over egalitarianism".[128] Danchin and Fischer elaborate, stating that while very likely genuinely interested in "creating an international body that could preserve peace and stability, the victorious Great

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[127] Karns and Mingst, 133.

[128] Danchin and Fischer, 97.

Powers [after WWII] also took great care to grant themselves special superior status and special privileges within the new body they helped to create."

There is a long-held belief among actors in the international system that international stability and the total equality of states were mutually exclusive, therefore it was inherent realpolitik nature for individual nations to accumulate for themselves as much power as possible.[129] In examining this fundamental problem with the modern balance of power in the international system, one could argue that any change at all to the membership or workings of the Security Council would undermine its original purpose as intended by the Western powers, and therefore its international privilege.

Realism's belief in an anarchic system undermines the sacrifice of sovereignty and self-interest needed from member nations of the United Nations, a goal that has caused concern since its conception. This bifurcation in national versus international interest poses many problems, but leads us to the conclusion that the balance required in this system between the give-and-take of sovereignty is crucial to its functioning. It may be more important to some to find a checks and balances system that will prevent the misuse of power, rather than imagining some sort of world in which these inconsistencies no longer exist.[130]

The United Nations Security Council clearly has much room for internal improvement in order to increase their international legitimacy. Thus, the Council would improve its ability to take swift and decisive action against threats to

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[129] Ibid., 100.

[130] Ibid., 100.

international peace and security, such as genocide. Without these reforms, the Council

not only hinders its own ability, but fails to serve its purpose of maintaining

international peace and security, putting innocent lives and our moral conviction at

risk in the process.

Responsibility to Protect

Responsibility to Protect (R2P) is a commitment endorsed by all member

states of the United Nations at the 2005 World Summit to prevent genocide, war

crimes, ethnic cleansing, and crimes against humanity. Its basic principles are that: (1)

state sovereignty implies responsibility, and the primary responsibility for the

protection of its people lies with the state itself, and (2) where a population is suffering

serious harm, as a result of internal war, insurgency, repression or state failure, and the

state in question is unwilling or unable to halt or avert it, the principle of non-

intervention yields to the international responsibility to protect.[131] R2P cites the

UNSC as the best body to uphold international peace and security, in its very

foundations[132], helping support the framing of genocide as a security concern by

placing action under the sole jurisdiction of the UNSC. This thesis agrees with the

statement that the UNSC is the most appropriate organ to deal with matters of

international peace and security such as genocide, and merely recommends extensive

reform in order to do a better job than it has in the past. R2P even states that

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[131] ICISS, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* (Ottawa: International Development Research Centre, 2001) XI.

[132] Ibid.

"prevention is the single most important dimension of the responsibility to protect".[133] This point reiterates that [violent] conflict prevention is the main underlying goal of all UNSC efforts at reform and in combatting genocide.

The responsibility to protect embraces three specific responsibilities: (1) The responsibility to prevent: to address both the root causes and direct causes of internal conflict and other man-made crises putting populations at risk; (2) The responsibility to react: to respond to situations of compelling human need with appropriate measures, which may include coercive measures like sanctions and international prosecution, and in extreme cases military intervention; and (3) The responsibility to rebuild after an intervention.[134]

Because of the many possibilities that this commitment provides the future of the UN, it was not categorized under UNSC reform, as it has already demonstrated to have great potential with the meaningful dialogue it has brought about. The program itself, in order to be most effective, requires a reformed UNSC: the primary subject of this thesis. This thesis only hopes that the ambitious and encompassing nature of R2P allows the UNSC to be more flexible in its jurisdiction over peacemaking operations when groups are at risk of being eliminated by oppressive governments, and the indicators of conflict and stages of genocide are present, even if the full legal definition is not yet met.

In one notable instance, there was an R2P Proposal from the Report of the International Commission on Intervention and State Sovereignty (2001), which

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[133] Ibid.

[134] Ibid.

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proposed that if 4 out of 5 members were in favor of intervention, then the remaining one power should set aside their veto in an act of "constructive abstention".[135] This proposal, even though it failed, shows how the UNSC could potentially act in a way under R2P that is not hindered by the national interests of each P5 member. It also demonstrates how often, the inability of the UNSC to act does not lie solely in its complacency, but in the political hindrances that surround it. R2P provides an excellent framework for the future of genocide prevention, but it is up to the UNSC to undergo reform in order to best implement the commitments laid out in the proposal.

The Future of the UN Security Council

There are many factors for the international community to consider regarding the future of the UN Security Council. The High Level Panel has made it explicitly clear that an expansion in membership of the Council will increase its legitimacy, which is necessary if it is to expand its scope of international peacekeeping activities. This is inherently necessary if the UNSC expects to be able to prevent or respond to threats to international peace and security such as genocide, especially under new peacemaking guidelines.

The permanent membership with veto power was created to benefit the victors of WWII under the ruse of efficient action. If anything, the P5 should not grow, for fear of continued ineffectiveness and abuses of power by new members. Adding new permanent members will not minimize the undemocratic nature of the current P5.[136] It was predicted by Hans Kelsen in 1946, that

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[135] Ibid., 51, 6.21.

[136] Danchin and Fischer, 112.

> The members which have no [veto] right may be induced to secure for themselves the friendship and protection of one of the five great powers...The veto right of the five permanent members may lead to a political system of more or less open clientage, that is to say, to a dismemberment of the Organization into five groups of states each of them taking advantage of the privilege of its patron.[137]

This is not an unrealistic scenario for the international community to be wary of. This hypothesis persuades the international community to take reform of the Council seriously, and even more urgently as the balance of international power is constantly shifting away from hegemonic stability and towards bloc systems of alliances.

In his Report of the Secretary General, Kofi Annan "presented Human Rights protection as the means by which to achieve the ends of assured collective security".[138] While peace and security remain high at the top of the priorities of the international community, it is imperative that we consider the expansion in action of the Council to include other objectives. The intertwined goals of development, human rights, security, and genocide prevention must be examined by a more legitimate body, with the fairest possible representation and effectiveness to tackle these multilateral issues that face our planet. We must also be sure to include genocide as a definite threat to international peace and security, so that we may treat it as such. Internal reform of the UNSC is the surest way to achieve the collective security ends, including preventing threats such as genocide, that Kofi Annan addressed.

The United Nations Security Council must enact the necessary reforms in order to be more effective in maintaining international peace and security, and preventing the reoccurrence of threats to international stability and humanity such as genocide.

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[137] Ibid.

[138] Ibid., 343.

But even if these reforms are inevitably enacted, what will be the best methods for the UNSC to pursue in doing so? This thesis makes the argument that preventive measures are more effective than conflict management measures, allowing the international community to act when time is on its side, and at a lesser cost. With existing peacekeeping forces seemingly inadequate to tackle challenges of maintain international peace and security today, how confident do we feel about putting a halt to the challenges of tomorrow? Since we cannot predict what these may be, the best bet is to prevent them before they occur using methods of structural conflict prevention and encouraging international development. Another way in which we can prepare for the unknown is using what we *do* know to better restructure our international institutions. This way, that may be more flexible and respond to threats before they arise. We must then ensure that our facilities for conflict prevention are prepared for the nature of today's conflicts, so that they can prevent those of the future. Old methods of peacekeeping have proved ineffective. Moving forward, we must place a greater emphasis on preventive efforts under the jurisdiction of the UNSC by constructing the circumstances necessary to create peace, and providing this body with the necessary resources to act.

One notable potential solution for this is establishing a RFF or RDF under UN Security Council jurisdiction, in order to take more expedient action when warning signs of conflict are present. With this type of jurisdiction, the use of force as a defensive measure for peacekeepers as well as civilians would be easily enacted by the UNSC, to prevent further delay in halting the escalation of conflict to genocide. A unanimous decision by the major powers would allow the Council to more quickly enact pre-planned coordination efforts, rather than relying on the joint efforts of pre-

existing organs or groups that are less organized and limited in the scope of their expertise and missions. Consolidating efforts and resources under one such body creates a more efficient response in totality. This in itself has the potential to alter the dynamic of conflict before it escalates. However, if the UNSC is unwilling or unable to accept these reform measures, then the accountability partly rests there. The UNSC must accept reform measures that will prepare it to deal with newer and emerging threats to international security, such as genocide has become.

In this chapter, we have explored not only the flaws of the UNSC, but where reform measures could help it prevent genocide. These reforms are contingent upon the framing of genocide as a threat to the peace and security of our international system, thereby placing its activities under UNSC jurisdiction. The reforms discussed are summarized below:

- Increase the legitimacy of the UNSC through broadened membership, including representatives from the developing world to improve its representation of the global population, and from those nations that contribute to the UN in all aspects.

- The expansion in UNSC membership should not hinder its efficiency in responding to early warning indicators of conflict (insecurity, inequality, private incentives, and perceptions).

- Consolidate genocide prevention activities under the jurisdiction of the UNSC to avoid overlap and the thinning of resources needed to authorize operations that seek to prevent genocide.

- The Council must be more democratic and accountable, perhaps by increasing its transparency in decision making, and consulting outside organizations on matters of concern more frequently.

- The recommended reform for expansion would broaden membership to 24 members, with no new permanent member seats. Model B offers eight four-year renewable terms seats, and one new two-year non-permanent and non-renewable seat.

- The creation of a Rapid Reaction Force (RRF) under the jurisdiction of the UNSC that would allow the Council to swiftly respond to conflict with the potential to become threatening to international peace and security, if the conflict is permitted to escalate to genocide. The criteria for such a peacemaking force will be elaborated upon in a later chapter.

These reforms would create an improved Council, one that is more accountable, representative, democratic, and legitimate to respond to early indicators of conflict (insecurity, inequality, private incentives, and perceptions) that could become genocide if allowed to flourish. In order to decipher these indicators, we look at how the failed response of today's UNSC in preventing the genocides in Rwanda and Bosnia offer opportunities for reform to create tomorrows UNSC. These changes would allow the Council to better respond to the changing nature of threats to international peace and security, such as genocide. With historical background and context for how genocide was permitted to occur, we see how different actions may prevent it from reemerging in the future.

From Peacekeeping to Peacemaking

Old methods of peacekeeping have been ineffective in past conflict prevention methods taken by the United Nations, which will be elaborated upon in the following chapters recounting the events leading up to the genocides in Rwanda and Bosnia. The fault for this ineffectiveness does not lie with the Department of Peacekeeping Operations (DPKO), because its peacekeeping forces were originally intended for conflict management, not conflict prevention. For the new purposes of genocide prevention rather than management, this thesis argues that the DPKO needs to alter or change the guidelines for its forces, and restructure its new goals for prevention rather than management of genocide. The initial rules established for conducting peacekeeping missions not only restrained the UN Security Council from authorizing action soon enough to prevent genocide from occurring, but brought about internal debate at the UN of whether or not to put more or less resources into peacekeeping missions. Clearly, more was the correct answer. However, there was no plan in place at the UN for how to prevent genocide, and bureaucratic obstacles stopped the organization from protecting the civilians at risk for ethnic-based persecution. When we examine old regulations for peacekeeping, it becomes clear that these guidelines no longer apply to conflicts of today and those that may arise in our near future. If we want to prevent genocide or something unimaginably worse, peacekeeping guidelines must change with the nature of emerging threats.

Below are the criteria for peacekeeping operations, instated before the genocides in Rwanda and Bosnia, which proved ineffective for preventing the escalation of violent conflict against ethnic groups.

- Consent of the main parties to the conflict

- Impartiality (consent and cooperation necessary to be perceived as legitimate and credible in the eyes of the local population)

- Non-use of force except in self-defense and defense of the mandate

- Promote national and local ownership of the peace process in the host country.[139]

If these combined guidelines were ineffective in both Rwanda and Bosnia, how can we improve them, and what are the best alternatives to these existing criteria in facing the unknown nature of tomorrow's threats? The first step is creating guidelines that would help peace enforcement forces such as an RRF to be better prepared to deal with the nature of today's threats to international peace and security, such as genocide. These new guidelines can be considered "new peacekeeping" or preferably, "peacemaking".[140] This new term insinuates that in some instances, as we will see in Bosnia, the necessary terms for multilateral intervention will not always be in place when intervention is needed in order to respond effectively to threats to international peace and security. If we are not eradicating the threat to our future, or saving innocent lives, then the former guidelines serve little purpose, if they are not actively harming the reputation of the UNSC itself. The potential guidelines for "peacemaking" are listed below, and sharply diverge from earlier conflict prevention approaches.

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[139] United Nations, "Principles of UN Peacekeeping- United Nations Peacekeeping" (UN News Center: 2016).

[140] Kenneth J. Campbell, *Genocide and the Global Village* (New York: Palgrave, 2001) Chapter 8.

- Non-impartiality, which would involve choosing a side to support in the conflict and taking action to halt the efforts of the side committing evil threats to peace.

While moral guidelines for choosing a side can be ambiguous, threats to international peace and security demand action. This decision must be based on the relatively greater threat to the existing international system. While one can use the example of Somalia (below) to argue against non-impartiality, this instance of peacemaking would ideally occur before the outbreak of genocide and before the escalation to such a level of hostility against the UN. While there are many flaws with the idea of peacemaking, it provides the best hope for dealing with the problems of future conflicts. The UN should be impartial wherever possible in order to ensure its legitimacy as a third party to conflict, but when it comes to matters of genocide, even in instances of delivering humanitarian aid, the UN cannot possibly remain entirely impartial if it is to effectively serve its purpose. This is why there must be a great amount of consideration and data analysis for each individual instance of genocide—if circumstances are not conducive to creating peace, then it becomes a gamble rather than a carefully devised plan of where, when, and how to intervene. This argument cites the first two precautionary principles of R2P (right intention and last resort)[141] in order to offer greater discretion as a precursor to such controversial action.

- Take offensive action (rather than only defensive) where justifiable.

[141] ICISS, The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty (Ottawa: International Development Research Centre, 2001) XII.

When a force is on the ground only to protect peacekeepers and not the civilians at risk, there is often a call for greater forces, or no need at all for them to be there. Often, when it comes to conflict, if preventive measures are not implicated early enough, then conflict will break out and the situation changes from prevention to management. Therefore, there is no longer any peace to maintain, and the forces on the ground are simply minimizing the damage instead of preventing it. Therefore, an RDF needs to be deployed earlier, and take a "proactive approach to genocide,"[142] rather than one that is defensive. Defensive action is strictly a part of conflict management, not prevention, which would resort to use of force only as a last effort according to its definition.

This was the case of General Romeo Dallaire in Rwanda, whose desperate pleas for reinforcements was deliberately ignored because they would not meet peacekeeping guidelines. Dallaire believed that with reinforcements, and by taking offensive action to capture weapons caches, he would have been met with greater success against the destructive opposition. Again, this can only be justified where threats to security and peace exist. For example, under peacemaking, Dallaire would have been able to seize weapons caches that were inevitably used against peacekeepers. Not only does this protect peacekeepers and civilians, but minimize the use of force to disturb the peace.

- Lastly, compliance of the main parties to the conflict is NOT necessary. In order to save lives and eliminate threats to peace and security, peacemaking forces may need to step in as a third party whose primary goal is stopping the

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[142] Ibid., 1.

conflict from escalating. If a host government or certain non-state actors are being uncooperative and dangerous, then the peacemaking forces have even greater reason to intervene (see UNSC action in Bosnia for example of how non-compliance did not prevent interference from third parties, in order to protect the innocent).

The rough guidelines for peacemaking as the future of UNSC and peacekeeping conflict prevention methods are not without flaws. The bureaucratic nature of the UN is designed to move slowly, allowing time for careful deliberation before choosing one side or another in a conflict. However, with UN reform including the creation of an RRF or RDF, the UNSC will be able to take action when it is most urgent only in the most extreme scenarios, ideally preventing the loss of innocent life. There must also be greater cooperation and compliance on the part of member nations, and their political will to contribute the necessary resources needed to make each individual peacemaking operation a success. The hope for an institution that prides itself on consensus building is that when clear evil emerges, the peacekeeping forces will be better prepared for necessary action, reinforced by a swift multilateral decision to overcome the efforts of corrupt and oppressive leaders.

The Legacy of Somalia

The failed peacekeeping effort in Somalia left a battered and beaten UN, and United States leadership, in its wake. During the efforts to alleviate the famine in Somalia, warlords fought for control over vital resources and lands, while hundreds of thousands of civilians died of starvation. U.S. troops were caught up in the middle of this violence. The events of "Black Hawk Down" ended with the death of eighteen Special Forces, and the bodies of soldiers being dragged through the streets of

Mogadishu, a humiliation for the United States, the UN, and UNOSOM. This failure would hinder future U.S. cooperation with the UN, but more importantly, tarnish the prospects for future UN operations, out of fear of "another Somalia". In the words of one inside source,

> The shadow of Somalia was deep and long: it caused the UN to become more restrictive regarding when peacekeepers were deployed and how they operated in the field, and it shaped the UN's actions in other operations, including Rwanda.[143]

As a result, preserving the reputation of the UN grew in importance during this period of transition from old peacekeeping to new peacekeeping. Because old peacekeeping methods were no longer suitable to eliminate the threat that genocide poses to international peace and security, the UNSC did not respond properly and the mission resulted in failure that would tarnish the reputation of the UN. This failure gave the UN as well as its key leaders such as the US, a reason to not intervene later on in Rwanda and Bosnia. The legacy of Somalia became an excuse for not intervening in crises sooner, and delaying necessary action of which the international community was unsure. Not knowing what to do cannot be an excuse for preventing conflict, which is exactly why this thesis proposes reform measures to ensure that the Security Council is prepared to deal with threats before they reemerge. By adopting such reform measures as outlined in this chapter, the UNSC is in a better position to prevent genocide and respond to early warning signals of conflict.

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[143] Michael Barnett and Martha Finnemore, *Rules for the World: International Organizations in Global Politics* (Cornell University Press, 2004) p 130-131.

Chapter 5

THE CONFLICT IN RWANDA

Historical Background

It is difficult to pinpoint where the distinction between Hutus and Tutsis developed in African history. How then, did a barely distinguishable ethnic difference between former brethren, turn into an apocalyptic mass murder of one another? This chapter goes in depth as to how the clash between Hutus and Tutsis in Rwanda began, and how it culminated in a nightmarish genocide that shocked the world in 1994. A look into the past of Central Africa will give us a clearer picture of who is to blame for this horror. Was it the Rwandans themselves, or did their government doom them? Was it one ethnic group over the other? Or perhaps, the United Nations is to blame, for doing little to stop the violence from escalating. Was it a legacy of colonialism that hindered the situation from the very beginning? We start at the epicenter—where differences between groups were exploited out of hate and fear.

> The differences between Hutu and Tutsi were based more on class than birth. Tutsis were elite, but people could cross over: rich Hutu became Tutsi, and Tutsis who lost their wealth became Hutu in a hierarchical system with a Tutsi aristocracy maintained by a Hutu peasantry. Years of intermarriage between groups had made it difficult to say with certainty to which ethnic group an individual belonged based on physical appearance alone.[144]

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[144] John A. Ausink, "Watershed in Rwanda: The Evolution of President Clinton's Humanitarian Intervention Policy", Case 374, Part A (Georgetown University: Institute for the Study of Diplomacy, 1996).

Before April 1994, Rwanda was one of the most densely populated countries in Africa, with a population of 8.6 million people. An overwhelming majority (between 85-90%) were Hutu, a small minority were Tutsi (between 9-14%), and about 1% was Twa Pygmies, a group indigenous to the area.[145] In addition to this, political struggles of the 1950s had resulted in approximately 800,000 people, mostly Tutsi, that were living in exile.[146] Many of these people resided in neighboring nations of Burundi, Uganda, Zaire, and Tanzania.

As a former German and (more recently) Belgian, colony, Rwanda had a tumultuous past. The Belgians had noticed the class distinction early on, and exploited these subtle differences to serve their own interests of imperial governance. Tutsis were favored in this colonial system, and the Hutus were oppressed with forced labor and unequal access to education and employment, until the nation gained independence in the 1950s.[147] Before this historic split, it was the Belgian officials who had created identity cards on which one's ethnic background was listed. Because the distinctions were difficult to make based on appearance, they were assigned by wealth—a person owning ten or more cattle was classified as a Tutsi, any less was a Hutu.[148]

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[145] "Rwanda- People", Encyclopedia Britannica Online (2016), <http://www.britannica.com/place/Rwanda/Land#toc40761>.

[146] Ausink, 1996.

[147] Bamber Gascoigne, "History of Rwanda", HistoryWorld (2001-ongoing) <http://www.historyworld.net/wrldhis/PlainTextHistories.asp?historyid=ad24>.

[148] Ausink, 1996.

The Belgians were pressured by the United Nations to support a shared-power arrangement with the Tutsis and Hutus, which caused mass confusion. Both sides were angered. The Tutsis were no longer the status quo leaders, and the Hutus were finally free of the shackles of inequality--but not soon enough for their liking. In 1957, Hutu leaders in Rwanda published a manifesto calling for ethnic-based political conflict against the Tutsis. The first outbreak of violence was initiated in 1959, by Tutsi political activists.[149] A moderate ruler who had reigned for about three decades had died that same year as well, augmenting the widespread uncertainty.[150] Subsequent events led to a mass migration of Tutsis into neighboring countries, as the former aristocracy of Rwanda fled the instability.

Rwanda and Burundi became separate states, and gained full independence in 1962, despite continued violence over the last two years. The violence had not yet spread to Burundi, however. The leadership of Rwanda was now half Hutu, supported by the Belgian officials, with a Hutu majority inhabiting the nation. It was clear how the subsequent political events would play out: the Hutus were now the ones with power. Propaganda tools portrayed the Tutsis as the "foreign minority who had come from the north to enslave the Hutu".[151] The seizure of Tutsi land and cattle began, along with organized harassment of the minority group. Burundi was not affected (although shocked by the ethnic violence), until a decade later when a mass killing of Hutus took place, forcing another mass migration into neighboring lands.

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[149] Gascoigne, 2001-ongoing.

[150] Ibid.

[151] Ausink, 1996.

Political Tug-of-War

General Juvénal Habyarimana seized power in 1973, creating a single-party state, by combining the roles of head of state and head of government with that of President, under the National Revolutionary Movement for Development (MRND). A revised constitution was enacted in 1991 that allowed for multiparty participation in government.[152] He also organized the support of the military as well as the Interhamwe militia during his Presidency.[153]

Tutsi exiles in Uganda, who were the descendants of exiles from the 1959 Hutu Revolution, formed the Rwandan Alliance for National Unity, which later became the Rwandan Patriotic Front, or RPF. After an unsuccessful invasion, they resorted to guerrilla warfare. Portrayed as the enemy by Habyarimana, this amplified the fear of Tutsis within the country.[154] This invasion ultimately led to the displacement of almost one million people, mostly Hutus, and further resentment for Tutsis would build in temporary shelters. These camps became a place to find "prime recruits for extremist groups".[155]

President Habyarimana allowed reform within the government in 1991-1992, under pressure from several international organizations, and "support from the Organization for African Unity (OAU) and the President of Tanzania". These changes allowed for multiple opposition parties to operate within the government, and a cease-

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[152] "Rwanda- Government and Society", Encyclopedia Britannica Online (2016).

[153] Ausink, 1996.

[154] Ibid.

[155] Michael Barnett and Martha Finnemore, *Rules for the World: International Organizations in Global Politics* (Cornell University Press, 2004) p 137.

fire was negotiated with the RPF as well. Including the RPF in this power-sharing arrangement, however, was one step too far for Habyarimana. This led to disgruntled Habyarimana supporters, and the first documented instance of "militias being used to attack Tutsi and moderate Hutu civilians".[156] The RPF responded by breaking the cease-fire agreement in 1993, leading to an even larger migration of people fleeing Rwanda. Habyarimana was blamed for the outbreak of ethnic-based violence, and for violating the Geneva Conventions. The situation had gained more international attention in 1993, and the United Nations stepped in to quell some of the tension and violence.[157]

UN Missions and Arusha

The United Nations created the Observer Mission Uganda-Rwanda, or UNOMUR, to ensure that no military goods were being transported across the border between the two nations. At the same time, peace talks began in Arusha, Tanzania. The positive result of these meetings was the Arusha Accords, signed by both Habyarimana and Paul Kagame, the leader of the RPF, creating a power-sharing system, more tolerant than the former. It would also allow for the repatriation of Rwandan refugees, which had been prohibited up until this point under Habyarimana's rule.[158]

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[156] Ausink, 1996.

[157] Ibid.

[158] Gascoigne, 2001-ongoing.

Later in 1993, on October 5th, the UN Security Council (UNSC) authorized the UN Assistance Mission for Rwanda (UNAMIR) to help implement the Arusha Accords and maintain the peace. This mission was strictly based on self-defense as far as the use of force went. This would later become a hindrance and major source of frustration for Canadian Major General Romeo Dallaire, leader of UNAMIR in the field.[159]

General Dallaire's frustrations were evident throughout the mission, as his pleas and strategies for addressing the state of conflict were ignored. In his telegram to the Department of Peacekeeping Operations (DPKO) on January 11th, 1994, he received evidence of a plot to kill peacekeepers and civilians, thwarting the Arusha Accords in the process. Because of UN peacekeeping guidelines and restrictions, Dallaire was unable to go through with his plan for seizing weapons from President Habyarimana's headquarters in order to prevent this act from occurring. This warning, along with another in fall of 1993, was ignored, despite threats of even further escalation of violence against Tutsis and Belgian peacekeepers, with the goal of forcing the UN to withdraw from Rwanda. The DPKO terminated his plans to seize weapons, relying instead on the Rwandan government to halt the plot.[160] These choices, although questionable and illogical in hindsight, reflected the pressure the UN Security Council faced at the time to stick to peacekeeping guidelines, and the struggle faced by troops on the ground that witnessed the violence worsening around them. These communications serve as foreshadowing of the violence that would later occur

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[159] Ausink, 1996

[160] Michael Barnett and Martha Finnemore, Rules for the World: International Organizations in Global Politics (Cornell University Press, 2004) p 140.

in the form of the murder of Belgian peacekeepers and civilian victims in April. Could Dallaire's planned response have saved these people? It is possible. Would his response of preventive action have sacrificed the future of the UN's role in peacekeeping? This too, is possible.

Tensions between the Hutus and Tutsis escalated with the election of a Hutu President in neighboring Burundi, and his subsequent assassination by the Tutsi army there. Hutus from Burundi fled to Rwanda, fearful of Tutsis and spreading this mistrust. The Arusha Accords were failing miserably by 1994, due to the "political stalemate and deteriorating security situation", according to the UN Secretary General in a report to the UNSC.[161]

The Department of Peacekeeping Operations (DPKO) of the UN was vastly understaffed and resources were stretched thin, near the breaking point.[162] Until 1993, there was no "situation room" at the headquarters in New York, a dismal situation for a supposedly eager and "reinvented" organization manning several large international peacekeeping operations. The DPKO was staffed by a few phones on a desk, and no one to answer them "after 5p.m. or on the weekends,"[163] as one commander joked. The current staff had done remarkably well in impossible situations, as the UN was taking on more than it could realistically bear. This was a grave situation, however, and one that would expose the weakness of the UN right when it needed to be most aggressive.

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[161] Ibid.

[162] Michael Barnett, *Eyewitness to a Genocide,* Introduction (NY: Cornell University Press, 2002) 30.

[163] Ibid., 31.

New parliamentary elections were to be held in Rwanda in 1995.[164]

A Catalyst of Events: Descent into Chaos

In 1994, Habyarimana's plane was shot down by a missile and he was killed, along with the President of Burundi who was on board as well--both returning from Tanzania. Rwanda fell into chaos before new elections could be held. Immediately, it became clear that no place in Rwanda was safe, for political leaders, UN peacekeeping troops, and innocent civilians alike. The ethnic-based violence quickly became a full-blown genocide, in which almost one million Tutsis were killed, along with ten Belgian peacekeepers.

An Analysis of Inaction

Was the UNSC solely to blame for inadequately maintaining peace, or the resulting mass killings in Rwanda? No. As the organization claimed, it was hindered by the political will of its member nations, and the resources available, which are also contributed by member nations. The UN has been used as a foreign policy scapegoat by certain member nations, but sometimes the members must accept that they are simply unwilling to do what is necessary because of domestic influences or political restraints. The ambitions of the UNSC are certainly restricted by the realities of the international notion of sovereignty. The situation in Rwanda was a complex combination of characteristics of the bureaucratic organization, as well as compounding failures in communication, accountability, and responsibility. The UNSC also saw the situation in Rwanda as a civil war, which it was at first, before it

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[164] Ausink, 1996.

became both a civil war *and* an ethnic cleansing. Therefore, the violence was initially mutual, and there was no peace to be kept.[165] The UN Secretariat's order to "not protect civilians" was a reflection of old peacekeeping methods that were inadequate to deal with the situation, but also the most effective at that time to preserve the reputation of the UN against another failure like Somalia, and to work with the resources that were available to the organization. The Secretary General consistently called upon both sides of the conflict to end the violence and killings, which were ignored by an inadequate government riddled with violence and inequality. Moderate leaders were killed, destroying chances at a return to normalcy from a leadership standpoint.

Critics can assume that the UN and the Security Council could have done more to prevent these events. So why did they not? A key issue in responding to the violence in Rwanda was the transitional phase that the UN found itself stuck in. Between old and new peacekeeping, there were concerns stemming from inadequate resources that forced a return to old peacekeeping guidelines, which were ineffective to deal with new issues of failed states, and the expanded need for global peacekeeping operations. With a lack of international acceptance of the need for a stronger multilateral effort, the UN was essentially handcuffed by its members and that had stretched it too thin. As Michael Barnett phrases his perspective as an observer of the situation from within the UN, "The [UN's] inability to deliver good results was endangering its very survival".[166] In this sense, the UN needed to preserve

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[165] Barnett & Finnemore, *Rules for the World*, 150-151.

[166] Ibid., 154.

its reputation above all else, or it would not be able to gain the faith of the international community in future peacekeeping operations, leaving no organization as equipped to prevent genocide from occurring again.

As the best option at the time for responding to violence at such an atrocious level, the UN needed to keep a low profile so that it could build up its abilities to a point where it could become more effective, and the international community would be confident enough to see that their contributions would get results of peace or stability. In order to continue existing and be able to transform into the organization that it wanted to be –one that could handle these issues in the future when its members were ready to accept the responsibility—the UN sacrificed its short-term goals of preventing violence, by consciously ignoring warning signs of the escalation of conflict to genocide. As we can reason from the concerns stated above, this decision was made in rational ways and unfortunately, probably seemed the best course of action considering the context of the situation and the limited abilities of the UNSC.

The issue is one of preparedness, but also part of a larger concern of international mentality and norms, that sovereignty is absolute and inflexible. This is why this analysis does not dive into the extensive workings of necessary procedural conflict prevention measures, which would be unique to each situation. Confidence in an organization that requires a relaxed interpretation of sovereignty means that a certain amount of trust is built through action, or in this case, responding to the will of its members through inaction. The lack of political will to intervene, while controversial and potentially exploitive, needs to be re-evaluated in order to stop states from becoming failed hazards to the international system. The tragedy of Rwanda was not a mistake, it was the result of the organizational culture of the time at the UN,

permitting indifference over action, because of the prioritization of the future of the UN to do good, above all else.[167] Even a body with the best of intentions may not see their efforts play out in a way that it wants. Based on the example of Rwanda, a difficult choice was made based on a harsh truth: "genocide was acceptable if the alternative was to harm the United Nations' future".[168] In a way, the UNSC made a choice to fail at stopping this particular genocide, in order to prevent future genocides. Only time will tell if this decision was the right one. However, there are reforms that may be addressed in the meantime so that the body does not have to make such a difficult decision ever again.

   While collective security is becoming more important, states still see the need for individual secrets and security over the well-being of the international system, out of fear that any reduction in sovereign power will be used against them, and their concerns will be overlooked or ignored on the international stage. Genocide will not be eradicated until states accept their responsibility in the global system and are willing to sacrifice a certain amount of sovereignty to help build a mutually safer world. Violence will not end until we unite as one people, regardless of ethnicity, nation, religion, or culture. When the desires and interests of individuals, groups, or nations overshadow that of another, it will only breed more animosity.

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[167] Ibid., 155.

[168] Michael N. Barnett (1995). "Chapter Six: 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,* Edited by Thomas Cushman and Stjepan Meštrović, 130-131. New York: New York University Press, 1996.

From Old Peacekeeping to New, And Back to Old

The failure of UN responses to escalating violence can be somewhat attributed to timing, in that the UN was stuck in an awkward period of transition in which it wanted to do more, but could not. The reasons as to why the UN was held back by bureaucratic obstacles will be elaborated upon in the next section. The former guidelines for peacekeeping proved inadequate to deal with the new international issues of failed states and unimaginable acts of genocide. With no framework in place to deal with these emerging threats, the UN was still the best organization to deal with them, but was forced to revert back to its old methods for dealing with violent conflict.

Old peacekeeping guidelines, established between 1956 and the end of the Cold War,[169] were focused on policies that promoted a "culture of consent and neutrality,"[170] and impartiality.

> Peacekeepers were to be deployed with the consent of the parties; they were to be impartial and function without prejudice to any side; they were to be lightly armed and use force only in self-defense.[171]

For an organization promoting diplomatic methods and trying to manage conflict in the best way that it knew how, these guidelines made sense. The UN represents a variety of member nations, so these policies appeared foolproof guidelines for any peacekeeping mission, and consistent with the organization's values. It was not the responsibility of the UN to keep peace in a place where peace did not exist; this would undermine UN intervention as an impartial mediator of

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[169] Barnett & Finnemore, *Rules for the World,* 126

[170] Ibid., 153.

[171] Ibid., 127.

conflicts. These simple guidelines were not proper rules to deal with new threats that faced the post-Cold War future of the UN or the international system. Before the 1990s, Peacekeepers were:

> Rarely placed where there was an ongoing conflict and never expected to enforce a peace, peacekeepers were authorized to monitor an already existing peace agreement and thus to help states stick to their political commitments, maintain ceasefire, and avoid a return to war.[172]

As the nature of warfare shifted from interstate to intrastate, the UN and the Security Council needed to change their approach to preventing and managing conflict. New peacekeeping guidelines were created hastily as a response, but without the proper resources in place to make these goals a reality, and far too late to be instituted globally. Violence cannot be prevented without the proper resources and infrastructure in place. The UN expanded its reach to include intervention in domestic matters, intrastate conflict, and humanitarian crises that were related to security threats. The staff at the UN welcomed the opportunity to do more. They wanted peacekeeping to be part of the new world order by creating norms of "multilateral diplomacy, confidence building, human rights, and rule of [international] law".[173] The UNSC was approving every security problem that needed assistance, without enough caution or consideration, perhaps based on moral desire to protect human rights, or under the assumption that the P5 members could provide the resources and political will to make each mission a success, if it were only approved. After Somalia, however, this became a distant dream and one that would leave the UN with a

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[172] Ibid.

[173] Ibid., 128.

tarnished reputation of naiveté and incompetence to "repair deeply divided societies".[174] In 1993, the UNSC reverted to old peacekeeping guidelines by adopting more conservative terms for when and why peacekeepers would be deployed.[175]

The critical failure of the UN to adjust from old peacekeeping to new peacekeeping is one factor that hindered action in preventing the genocide that emerged in Rwanda. Unluckily, this occurred around the same time as other crises such as the one in Bosnia, and both became botched efforts at conflict prevention as a result. Implementing the new guidelines for peacekeeping operations, and ensuring that the necessary resources are available to do what is needed, are elements of successful conflict prevention that the UN Security Council should have pursued to prevent genocide from reemerging, or worsening to create an unforeseen evil. Peacekeeping methods must be individualized to each conflict and adjusted over time to keep up with international demand for aid and the changing nature of conflict. Even if parameters outlined by this thesis are not adopted, peacekeeping should be altered in a structural way that demonstrates preparation and allows it to prevent the escalation of violent conflict, rather than hastily manage already hostile environments.

These concerns of restricting peacekeeping operations during the 1990s were also exemplified by the genocide being carried out in Bosnia, almost simultaneously with the other violent events in Africa. Despite the desire of the UNSC to "do it all", even a situation closer to the West could not convince the UN member nations to do what was necessary to prevent the reoccurrence of ethnic cleansing. This time, policy

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[174] Ibid.

[175] Ibid., 130.

changed with the involvement of force under NATO command to put an end to the violence. We focus on the situation in Bosnia regarding measures that were taken to prevent the escalation of violence. As we will see, it was minimal. Learning from these errors and obstacles is what can help the UNSC exert jurisdiction sooner and more effectively to prevent the outbreak of genocide. Rwanda taught us that the UNSC was incapable of authorizing action that may have prevented crisis, because of the restrictions placed on the UN by the failures of Somalia, and strict internationally-accepted norms for peacekeeping. With a focus on peacemaking in the future, early UNSC action in response to indicators of genocide may prove more effective.

The atrocities we have seen in Rwanda show themselves in a different form yet again in an historical examination of the genocide in Bosnia. Both genocides had specific factors that permitted an escalation of conflict to that point. Once both histories have been laid out side by side, we can better understand how patterns occur leading up to both instances of genocide, and how the UNSC altered its response after previous failures. Using this comparison, this thesis goes on to suggest that patterns seen in ethnic cleansing are very similar to indicators for genocide, and suggest how the repetition in these indicators can trigger earlier action in response to them. This is the ideal role for a UNSC of tomorrow, with the ability to prevent genocide and protect the stability and security of our international system.

Chapter 6

THE CONFLICT IN THE FORMER YUGOSLAV REPUBLIC

Historical Background and Indicators of Recurrent Violence in Serbia

In the case of the Bosnian genocide, we again see familiar themes of extreme violence accompanying war (The Yugoslav Wars, specifically), and relative group inequality. What we also see is a deeply engrained history of violence against Muslims by Serbians, dating back to the breakup of the Ottoman Empire.[176] This history of violence without consequence or international response was one impact that set the stage for the continuation of group-based violence, allowing it to escalate to ethnic cleansing and genocide.

The tragedy in Bosnia received greater media attention due to its location in Europe, and the interests of the great powers.[177] As a result, the Bosnian genocide may have been better attended to by the UN Security Council through quicker decision-making. Lobbying for a Western response may have ushered along the initial agenda-setting process, but relief efforts were not without obstacles. Michael Barnett describes the responses to both genocides in Rwanda and Bosnia as "systematic

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[176] Norman L. Cigar, *Genocide in Bosnia: The Policy of "Ethnic Cleansing"* (Texas A&M University Press, 1995) Ch. 2.

[177] Thomas Cushman and Stjepan Gabriel Meštrović, *This Time We Knew: Western Responses to Genocide in Bosnia* (New York: New York University Press, 1996).

neglect" by the UN and the UNSC.[178] In examining the root causes of conflict that culminated in the Bosnian War from 1992-1995, and the genocide in Bosnia, we can compare and contrast the UNSC preventive efforts aimed at Bosnia and Rwanda.

A significant aspect of the conflict in the Former Republic of Yugoslavia in relation to the development of genocide is the relative group inequality between the Serbian and Bosnian Muslim populations. Attempts throughout history to create an independent Serbia were viewed by alienated ethnic groups as a process that would exclude them, and be dominated by Serbs. This perception increased the divide in ethnic background by amplifying religious differences and power struggles, creating an insecure environment for certain groups. Another key factor was past international indifference to Serbian acts of ethnic cleansing which had gone unpunished. Serbia's nationalist record and past violent actions against ethnic minorities provided a framework for the events of the 1990s. Playing upon fear and the increasing desire for a Serbian state, authorities in the Former Yugoslavia perpetuated the pattern of indifference to catastrophic levels of violence which have altered the political landscape since.[179]

Slobodan Milošević's vision of a greater Serbia brought to light the question of what to do with the non-Serbs, and the resurgence of the idea that non-Serbs needed to be removed from the nation in order for his vision to come to fruition. With the

[178] Ibid.

[179] Norman L. Cigar, *Genocide in Bosnia: The Policy of "Ethnic Cleansing"* (Texas A&M University Press, 1995) 20.

dissolution of the Ottoman Empire in 1923, the nationalist movement within Serbia gained momentum. Ethnic exclusivity sought to either assimilate groups, or move them elsewhere. The state proceeded as it saw fit, and the Serbian aristocracy decided to eliminate any threats to their self-interest, in order to preserve their power for governance of an independent Serbia. In a sense, the vulnerable Muslim community was given the "choice" to "convert, leave, or be liquidated"[180]. By the end of the 1800s, the Kingdom of Serbia had largely achieved this goal. However, the problem arose again when new territory in which ethnic minorities lived was annexed as a result of the Balkan Wars of 1912 and 1913.

The rise of World War I pushed the issue of ethnic homogeneity of Serbians in the background, but simply delayed a similar repetition in action. When Yugoslavia was created in 1918 after the collapse of the Hapsburg's Austria-Hungary, it was assumed that Bosnia-Herzegovina would be included in this new state.[181] This was not the vision that Serbian leaders had in mind. They had planned to deal with Bosnia in the same way that they had dealt with ethnic minorities in the past: removal. Instability became significant as the domination by Serbs and subsequent second-class status of all other non-Serbs (primarily Muslim Turks) created an environment that soon became hostile.[182] This lack of political inclusion among groups is one cause of conflict that set the scene for fostering long-term hatred.

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[180] Ibid., 17.

[181] Ibid.

[182] Ibid., 18.

World War II made the desperation for an independent Serbia even greater. The rise of nationalism in Europe led to the formation of not only the Axis powers, but their allies within Yugoslavia, known as the Chetnik movement, and was central to Serbian territory.[183] Their focus was to create a greater independent Serbia, but their political strategy showed that they felt that the best chance at achieving this goal was through an ideologically harmonious alliance. This state was supposed to include:

> Present-day Montenegro, Macedonia, Bosnia-Herzegovina, Kosovo, Vojvodina, most of Croatia, and northern (possibly all of) Albania, parts of Bulgaria, Romania, and Hungary as well as Serbia Proper.[184]

In proposing these ambitious goals, Chetnik leader Draža Mihailović realized that the Serbians would then be the minority. The solution to this problem was simple: a tried and true method of population homogenization. The plan for a "cleansing" was kept a secret from non-Serbs. The Serbs were not the only group to come to this conclusion on their own. An identical plan was being devised by the radical nationalist Croatians as the Ustaše, in their efforts to eliminate Serbs. Their plan however, included a "Croatian state extending over Croatia and Bosnia-Herzegovina…arguing that until 1945, most Slavic Muslims identified as Muslim Croatians".[185] Muslims, composing a plurality of the contested area of Bosnia-Herzegovina, became a central party to the ensuing violence taken by Serbian Chetniks in an effort to forward their own agenda, and undermine that of their Croatian counterpart. Outside powers such as Italy and Germany fueled this fire for their own purposes. As Muslims joined the

[183] Ibid.

[184] Ibid., 18-19.

[185] Ibid., 19.

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Croatian side for self-preservation, over one million people perished in the conflict. Marshal Josip Broz Tito's communist followers also joined in the conflict, but more so for ideological motivations rather than ethnic ones. Casualties were split between Serb and non-Serb casualties, but one-third of this number were in Bosnia-Herzegovina.[186]

Tito later gained power as both Prime Minister and President, because of his opposition to German occupation after the Chetnik defeat during WWII. However, he granted Serbian control over several areas in which Serbs were not the majority. Since he was of Croatian descent himself, this was viewed as a compromise, allowing for temporary stability up until the dissolution of Yugoslavia.[187] The communist leadership of Yugoslavia that had prevented civil war was quickly forgotten shortly following Tito's death, and Serbs once again saw themselves in a vulnerable position. The potential loss of status and privilege of their group over others created widespread concern.

The politically and ideologically dynamic decade of the 1980s provided a chance for the Serbian aristocracy to assert their positions in a new independent Serbian state. Milošević saw the map for how to do this in the same "cleansing" tactic that had been used against the Croatians. His radical nationalist ideas had already laid the groundwork for symbolic propaganda that could be further exploited to preserve the existing inequality (an example of the how personal incentive of power motivates leaders to continue conflict). A conscious choice was made by Milošević to regress to past methods of creating a homogenous population with the Serbs serving as the

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[186] Ibid., 19.

[187] Ibid., 20.

majority and eventually, the only ethnicity of the population. The 1980s was the period of a massive ideological shift that brought about the landscape for genocide in Bosnia. The escalation in conflict during the 1990s was simply an aggregation of all of these factors, combined with a less than ideal international response. These causes created the first genocide in Europe since WWII.

The return of nationalism in the 1980s followed Tito's death, with the Serbian Communist Party backed by the Serbian Orthodox Church.[188] It was under this ideology that Milošević came to power, and became the chief perpetrator of the Bosnian genocide. In 1986, *the Serbian Memorandum* was created by the Serbian Academy of Arts and Sciences, by Serbian intellectuals and elites looking to further their own positions in society by legitimizing nationalist goals. This *Memorandum* expressed the desire for a Serbian state, "uniting all Serbs in a single Serbian state…", and granting them full national integrity, as a democratic right.[189] Communists in power reacted in a hostile manner, as this was viewed as "the point of no return toward communal violence". Minority communities were unlikely to accept this publication without hostility towards the authors and their supporters. Therefore, it might only be initiated through the use of force.[190]

Not only does ambivalence, as a symptom of issues at the UN and the UNSC, need to be mentioned, but the "moral ambivalence" of the former Yugoslavia. How did an environment in which repetitive barbaric tactics became seemingly acceptable,

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[188] Ibid., 23.

[189] Ibid., 23.

[190] Ibid., 24.

even legitimate? It was a combination of political propaganda, and historic prejudices that were exploited to amplify fear and hostility. During the 1980s, conscious efforts were made to separate, oppress, and alienate the Muslim communities of Bosnia-Herzegovina and Albania into an "us vs. them" scenario.[191] By delegitimizing the Muslim community, the Serbs made the group feel like foreigners in their own homelands. Muslim of Bosnia-Herzegovina and Albania became a vilified, stereotyped threat to the nationalistic Serbian goals of achieving a Serbian state. Muslims were dehumanized in widespread depictions and propaganda as "non-people", and were deemed barbaric nomads, incapable of ruling themselves or understanding the way of European civilization. Croatians were insulted by historical inaccurate accusations that they too, were Serbs, but were not aware of their own roots.[192]

　　Intolerance and tensions were fermenting because of *the Memorandum*, but Milošević was unsatisfied. His union with the Serbian Orthodox Church created a structure in which he could organize his efforts through the hierarchical system already in place. He fueled the hatred of Muslims through Serbs that would set fire to his nationalist policies, gaining greater power as these feelings accrued. In 1987, Milošević was gaining ground, and intimidating his rivals through media censorship and "violent street rallies".[193] The resulting attacks on ethnic minority communities were unprecedented, and Milošević encouraged Serbs to focus their hatred toward

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[191] Ibid., 25.

[192] Ibid., 26.

[193] Ibid., 32-33.

those that stood as a threat to the goals of *the Memorandum*. He even used the logic that these acts would help prevent the same thing from happening to Serbs, as had happened during WWII. Their danger in becoming the victims of genocide gave them the pathetic excuse of carrying out the act on other populations.[194] The painful hypocrisy of the situation in 1988-1989 was "legitimizing" the Serbian cause, at least in the minds of Serbian officials. Outside of Serbia, there were Serb populations in Bosnia-Herzegovina. Milošević had to mobilize them in order to advance his cause. His efforts led to massive "provocation, encouragement, and direct massive financial, political, and eventually military support from Serbia". Without all of this, Norman Cigar (1995) claims: "It is unlikely that Bosnia-Herzegovina's Serbs would have moved toward secession, much less engaged in genocide against their neighbors". Here, we see just how politically calculated and motivated the entire plan was.

With all of this animosity boiling below the surface of conflict, what became the turning point that allowed for the growing tension to break out into violence? Why did no one try to stop this plan? For starters, any moderate local leaders were simply dismissed or silenced by Milošević. He exerted complete control through communism backed by the Church, banning the construction of mosques, and demanding that the new Serbia also be a Christian, Orthodox Serbia.[195] The victimization of Muslims had begun long before 1991, with senseless violence and murder occurring all over the region before the official fighting even began. The breakup of Yugoslavia and subsequent wars in the region simply served as a catalyst for genocide. Indicators for conflict and ethnic cleansing had long been underway.

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[194] Ibid., 34.

[195] Ibid., 35.

In 1992, Bosnia and Herzegovina passed a referendum for independence on February 29th. Bosnian Serbs rejected the referendum, opting for secession from Bosnia and the creation of their own republic. Milošević obviously encouraged this initiative. Bosnian Serbs were led by Radovan Karadžić, who was supported by Milošević and his army, the Yugoslav People's Army (JNA). These troops entered Bosnia-Herzegovina in attempts to secure the territory for the Serbs. The escalation of violence, and the accompanying genocide, had arrived. To the rest of the world, it was a surprise—because it had been designed as such. With no precedent for international interference into instances of ethnic cleansing, the Serbs had nothing to fear and everything to gain.

International Efforts at Prevention

What did the UN, specifically the UNSC do, to prevent the outbreak of conflict and the escalation to ethnic cleansing, and then genocide? The UN began its peacekeeping presence in the former Yugoslavia with Security Council resolution 743 of February 21st, 1991, when the United Nations Protection Force (UNPROFOR) was mandated to deploy in certain areas of Croatia, where Serbs were a substantial minority, and to monitor a ceasefire between Serb and Croat forces.[196] This action was consistent with old peacekeeping guidelines.

When the conflict spilled over into Bosnia-Herzegovina, the UN became involved there too, in July of 1992, with Security Council resolution 764. This resolution differed from the first. It was more humanitarian in nature, stating that the

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[196] Thomas Cushman and Stjepan Gabriel Meštrović, *This Time We Knew: Western Responses to Genocide in Bosnia* (New York: New York University Press, 1996) 149.

goal of "securing the safety and functioning of the Sarajevo airport, and ensuring the delivery of humanitarian assistance" and that the Security Council might require acceptance of the resolution without the consent of the host states.[197] Were the Security Council's actions, if forced upon the host state, legitimate and effective? Was there any peace to keep? Here we see a major shift in ideology from peacekeeping to peacemaking, in that the consent of the host nation was not needed. This action was necessary to intervene and save lives, or there may not have been any intervention at all. Do the excuses of Rwanda translate to Bosnia, or not? As we can tell from a historical perspective, this intervention under the premise of "peacekeeping" was far too late to even initiate conflict prevention methods, nor keep any pre-existing peace. Peacemaking became more necessary at this moment, since the situation was escalating so rapidly and the genocide that was developing had accompanied an existing war.

When analyzing the situation, it is important to remember that although we have entered the realm of conflict management, while combatting conflict the Council must also remember to lay the foundation for future peace. The Security Council, however, was not quick to intervene and do so because of previously stated concerns of that decade, like overstretching the UN's capabilities, or fear of ultimate failure in peacekeeping initiatives, as had Somalia taught the organization. Had such a failure reoccurred, the UN would unlikely have been able to recover for some time and lose legitimacy as a universal peacekeeping authority.

> Marrack Goulding, then UN undersecretary-general for political affairs, argued in an internal memo that the UN should keep its distance from

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[197] Ibid., 150.

Bosnia until it could operate with the consent of the parties and there was stability on the ground, a stance that not only reflected a traditional view of peacekeeping but also would suspend the UN's moral involvement.[198]

Perhaps one of the most forceful moral reasons for intervention came after the fact as a form of conflict management for one of Bosnia's greatest tragedies: the massacre at Srebrenica in July of 1995. This total failure of the UNPROFOR mission to secure the safety of this "safe haven" during the crisis resulted in the murder of approximately 8,000 Muslim Bosnians, mostly male, and was perpetrated by Bosnian Serb military forces. This atrocity was not isolated in nature, but represents some of the more horrific violent acts of the Bosnian genocide that were not prevented. The forceful separation of women, children, and elders from the men that were killed, as well as the sexual abuse and deportation of the women and girls, constituted the ethnic cleansing as genocide, according to international law and the Genocide Convention.

Who, or What, is to Blame?

On an individual level, Milošević and Karadžić can be blamed for a majority of the intentionally-constructed systemic horrors and deportations in Bosnia. However, they could only do so much on their own. Their supporters and the institutions that allowed them to conduct mass atrocities are also to blame. When we look at the unit of the state and its role in our international system, one nation in particular stands out as a passive observer to the conflict, which could have played a greater role in early intervention and conflict prevention: The United States.

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[198] Ibid., 150.

The U.S. played a part in the overarching norms of the time. As the leading world power militarily, the United States did not deem it important for leaders to intervene, because the situation in Bosnia was framed as a humanitarian concern, rather than a security issue. By not clarifying the nature of the conflict, despite earlier internal reports acknowledging the situation as genocide, world leaders prolonged the conflict. They did not frame the atrocities as genocide; therefore making it less urgent than other foreign policy concerns, and not convincing the American people that it was worth potential military casualties.[199] Part of this inaction can be attributed to the legacy of Somalia. But we cannot ignore the lack of prioritization for genocide in Bosnia by the American public or American officials, and how this inhibited the preventive efforts of the United States and the UNSC.

We now can understand that because the United States has a vested interest in preserving the current international system, it should have led the campaign for timely intervention. Genocide poses a very real threat to international peace and security of the current system. The United States did not make a decision that would be in its long-term interests, because Bosnia was not perceived as a threat to its interests at the time. This very same failure to frame the situation in Rwanda as a strategic threat to international peace and security is parallel to that of Bosnia.[200] By calling what happened by a different name and delaying action, American leaders exemplified a disastrous misunderstanding of what was occurring right before their very eyes.

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[199] Kenneth J. Campbell, *Genocide and the Global Village* (New York: Palgrave, 2001) 67-69.

[200] Ibid., 79-81.

However, we now understand that genocide is not only a threat to the system leader, but the legitimacy of the UN as well. In truth, the concern for the future of the UN likely overshadowed many of the other problems associated with early intervention. While this may not be an ideal moral decision, it was rational considering the options available to the system at the time, making historical context invaluable to understanding why certain choices were made.

The internal struggle of the UN was reflected in its delayed intervention, but it is not to blame for the atrocities that occurred. We also cannot entirely blame the UN for not intervening sooner, as Milošević had gone to great lengths to keep violent ethnic and religious-based hostilities a secret from non-Serbs and the outside world. *An Agenda for Peace* was being constructed while the situation in Bosnia declined, and Boutros-Ghali had a strong vision for the UN, and only the best of intentions. Perhaps it was in protection of the future that he had envisioned for the UN, that a conservative approach to peacekeeping was pursued. A limitless future required sacrifice in the now, when Boutros-Ghali and the Secretariat were advising restraint in authorizing every mission. The UN of the 1990s did not have the capabilities for "combatting ethnic cleansing or liberating concentration camps".[201]

The Security Council, after much deliberation, authorized delivering humanitarian assistance to the region. Based not entirely on humanitarian concerns, the Security Council thought it politically unwise to ignore ethnic cleansing, despite a lack of just cause for intervention on behalf of the P5 powers.[202] In this sense, the

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[201] Ibid., 150.

[202] Ibid.

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great powers of the world, namely the US and Europe, could offer assistance under the notion that genocide was a danger to international peace and security, while protecting their individual reputations from failure in international intervention. If one power intervened, it would not have just cause, however, multilateral efforts under the UN appeared much more legitimate, and set an important precedent for international intervention. On the other hand, Russia was a historically staunch ally of the Serbs, and this complicated the matter. This example of UNSC inaction may place some part of the blame on Russia. If it were not for the self-interests of one P5 member, perhaps lives would have been spared by earlier intervention. One could even argue that Russia was more to blame for lack of political will among the P5 than was the United States. For the purposes of this thesis, the United States did not fulfill its duty to international stability as the system hegemon. Again, the UNSC as an organ is not to blame, because often, external politics enter its realm of decision-making. Reforms outline din this thesis would potentially help the UNSC to overcome political circumstances that were and are currently out of its control to prevent genocide.

The reluctance of the UN to act cannot be singularly attributed to the larger ideas of the fear of failure, or the subsequent potential disintegration of the UNSC's legitimate role in peacekeeping. To be quite blunt, perhaps in the mind of Boutros-Ghali, and the environment of the UN at the time, "genocide was acceptable if the alternative was to harm the United Nations' future"[203] In addition to this harsh truth, we must consider the conflicting internal transition from traditional "old" peacekeeping to "new" peacemaking. This might have partially slowed the decision-

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[203] Ibid., 130.

making process, delaying intervention while the changes were deliberated. These required an extensive forum because they would not only apply to this peacekeeping operation, but future instances as well. Therefore, deliberation was necessary and not the cause of unnecessarily delayed action. Old rules for peacekeeping did not fit the mold for new types of more violent conflict, and changes needed to be made to the organization's approach. As the resources of the UN were (and still are) limited, it became more and more difficult to expand the control of the UNSC and change the rules, when the old ones provided a more conservative approach, and in the mind of many, offered the UN greater legitimacy as an impartial international organization. Contrary to this idea is that the UN demonstrated poor accountability as a democratic organization to those small nations it claimed to protect by not intervening sooner.[204] Such is the burden of bureaucracy.

In this sense, because of regular conflicts with the overeager North Atlantic Treaty Organization, one can place greater emphasis on UN ideology rather than its limited capabilities of the time, which NATO would have largely made up for. Strict adherence to a solely humanitarian intervention caused rifts between the two organizations, with NATO being more eager to punish the Serbs using military strikes.[205] NATO's response, however, could not be categorized as preventive, but rather as a direct response to Serb aggression. NATO's use of force was simply supposed to protect peacekeepers, rather than Bosnian citizens, even if in reality the use of military sometimes violated UNSC resolutions and threatened the future of NATO as well.

[204] Ibid., 131 & 134.

[205] Ibid., 154-155.

The UN authorized the deployment of a Rapid Reaction Force of 10,000 in June 1995. Yet the management [of conflict, rather than prevention of it] intent of the force became painfully obvious as its mission was downgraded from opening the airport and delivering humanitarian relief to protecting peacekeepers (at the "safe haven" of Gorazde), dramatizing that the growing involvement of NATO and the UN was designed to rescue their reputation and not to protect civilians.[206]

For good measure, it is important that the indifference of the situation did not apply to every individual within the UN, causing such a controversial transition. Nor does this examination aim to vilify the UNSC, or the UN for its indifference, but simply highlight what could have gone better in preventing genocide, and how bureaucracy alters progress. There were obviously those within the UN fighting and struggling for a long time for greater and more immediate intervention. "In one incident, the local Serbian military commander even forced the chief of operations of the UN High Commissioner for Refugees to leave at gunpoint, calling him a 'secret Muslim'".[207] Individuals within the organization strove to make a positive difference, and were faced with difficult choices as a result. The goal of this thesis is to encourage reforms measures that would minimize obstacles facing those that wish to enact meaningful change for the world, such as many of the people who work for the UN. Structural reform of an intentionally bureaucratic organization will not happen overnight, or with any one person, no matter their position. Necessary patience and sacrifice in the long-term forces this thesis to consider more immediate procedural reforms for the UNSC as well.

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[206] Ibid., 155.

[207] Norman L. Cigar, *Genocide in Bosnia: The Policy of "Ethnic Cleansing"* (Texas A&M University Press, 1995) 54.

The overall atmosphere of indifference, while not the fault of any one individual within the UN, has been labelled as "active complicity," implying that every move the UN made during their preventive and management efforts was calculated based on the best case scenarios available to the institution at the time. As a consequence, genocide was allowed to occur knowing full well what would happen with each passing day. This unfortunate truth was not readily accepted, and internal efforts at the UN in preventing genocide were met with great frustration. The inaction was a symptom of larger problems of the UN structure, and not the deliberate attempts by UN staff to permit genocide. However, bureaucracy and international norms can greatly alter the atmosphere of even the well-intended organizations. Moving forward, the Security Council can better fulfill its role with coordinated cooperation from the other entities of the UN, and a common ideology uniting the organization.

Chapter 7

WHAT COMES NEXT

Current Crisis: Myanmar

This thesis has elaborated on the conditions and circumstances which have caused the failure of the UNSC in past instances of preventing genocide. It has also suggested criteria for reform of the UNSC to better prevent conflict and genocide from remerging to threaten international peace and security. However, time is not on the side of the calculated action that typifies the UN, and suggested procedural reforms could benefit the international community sooner rather than later. Genocide is not just an occurrence of the past—we do not live in a perfect world where we can assume that we are forever safe from inequality, corrupt leaders, and conflict. As international organizations serve as our watchdog, they are able to use information analysis and early warning signs that currently exist in order to highlight areas of the globe that should be monitored for potential escalations in conflict. For the purposes of this thesis, these at-risk areas have been narrowed to include only instances of ethnic-based conflict, and from there, a case study on Myanmar has been selected.

One particular occurrence that has captured recent media attention is that of the plight of the Rohingya Muslims in Myanmar. The conflict centered on this group has not yet been deemed genocide. However, reporters have alarmingly labelled the conflict as an ethnic cleansing and many claim that genocide is looming on the horizon. For these reasons, we explore what the UNSC can do in this specific instance to prevent the conflict from becoming aggravated in the near future.

Setting the Scene for Genocide

Myanmar has unfairly treated many of its minority groups, but few have faced persecution such as that confronted by the largest minority group in the nation, Rohingya Muslims. This group lives primarily in the Northern Rakhine State of Myanmar, neighboring Bangladesh and sharing an ethnic background with Bengalis. Conflicts with Rakhine Buddhists have created intolerable living conditions, forcing many of the Muslim population into squalid refugee camps. The Burmese government continues to deny the existence of this group, or grant them citizenship due to their alleged status as "illegal immigrants" following the country's independence in 1948, no matter how long any particular Rohingya have lived in the country. Therefore, these legally stateless people are not receiving access to basic human services because they are not considered by the government to be an ethnic group of Myanmar. A 1982 Burmese Citizenship Law has been invoked as the source for much of this conflict and resulting devastation. Even pro-democracy opposition to the government will not speak out on behalf of this group, so strong and deeply rooted is the hatred and suspicion which faces the Rohingya people.[208]

> Without citizenship, Rohingya cannot legally leave the townships of Rakhine State and, since 1994, must request special permits (often available only through bribes) to marry, which restricts Rohingya couples to having two children, a limitation other ethnic groups do not face. Common-law couples are vulnerable to prosecution. The government includes the Rohingya in official family registries and

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[208] IRIN News, "Myanmar's Rohingya Crisis," IRIN (2012)
http://www.irinnews.org/report/96801/briefing-myanmars-rohingya-crisis.

gives them temporary registration cards. However, such documents do not mention place of birth and are not considered as evidence of birth in Myanmar.[209]

Such inequality based on group membership is a major warning sign for the outbreak of group and ethnic-based conflict, in addition to the government-encouraged isolation and hatred of the group. Rohingya face extreme political inequality, and have been deprived of development aid in the past. Early warning signs for conflict are not only present, but perhaps have come to the attention of the international community too late. In examining the indicators of ethnic cleansing that Myanmar exemplifies, this thesis urges the UN Security Council to frame the situation as genocide earlier rather than later to prevent further damage to this group. An emphasis on enforcing rights, including action by other organizations than the UNSC, could have prevented much of this growing threat to international peace and security.

While there are several precursors for genocide present in Myanmar currently, there is yet to be hard evidence for the intent of the Burmese government to destroy the group. According to Burma's President Thein Sein, "There are no Rohingya" in Burma.[210] This blatant denial, while not an example of intent to destroy the group, means that the government does not recognize their existence and is failing to protect basic human rights of the group, leading to relative group insecurity. This violation of human rights, if not immediate cause for military intervention, certainly is cause for concern, and cause to closely monitor the situation in case that intent is displayed.

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[209] Ibid.

[210] United to End Genocide, "Who's At Risk? - Burma" (2016) http://endgenocide.org/conflict-areas/burma/.

The American activist organization United to End Genocide (UEG) estimates that over 140,000 Rohingya Muslims have been forced from their homes and into concentration camps or refugee camps, and an additional 100,000 Rohingya have fled the nation by boat since 2012.[211] Nations of Southeast Asia have been criticized by the international community for not accepting these immigrants into their countries, and the region is currently facing a migration crisis, accentuated by the plight of the Muslims fleeing persecution. UEG has also named Myanmar as the world's most at-risk nation due to state-led mass killing. The government has already taken action to silence officials who so much as utter the name Rohingya, or who would consider acting to prevent the removal of this ethnic and religious group. As we have seen in Bosnia, tolerance and legitimation of such persecution occurs under conditions where moderate leaders and opposition are silenced by perpetrators of inequality and oppression.

Insufficient UNSC Action

Since 1991, international organizations have repeatedly expressed concern over the human rights violations occurring in Myanmar. Yet in the past two decades, sanctions have been lifted in exchange for promises of democratization by the nation's government. International response has proven hypocritical by not using methods of enforcement such as targeted sanctions to punish Myanmar for its human rights violations. Groups that might provide aid to alleviate the situation, such as Médecins Sans Frontières and the International Committee of the Red Cross, have been

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[211] United to End Genocide, "Who's At Risk? - Burma"

threatened with violence and forced to leave the nation, and therefore Rohingya were not getting access to medical services, food, and shelter.[212]

Despite recent re-entry by organizations providing aid, such as the UNHCR and NGOs, the refugee crisis in the region has spiraled out of control and the number of internally displaced persons continues to rise. Governmental response plans fueled by foreign contributors will only cover emergency needs temporarily. In 2012, the UN recorded international humanitarian aid as "$24 million to humanitarian assistance… in Rakhine State, including $4.8 million from the UN Central Emergency Fund."[213]

While the humanitarian aid is welcomed by the Rohingya with open arms, the real concern here is that the situation has been deemed a humanitarian one, as opposed to *both* a humanitarian and a security one. The effects of the migrant crisis are just recently being felt by nations outside of Southeast Asia Region. This brings to mind the question: how do we get the international community to care about injustices such as genocide? Neighboring countries must take the first step toward activism, even if by means of initially small grassroots movements. It was not until 2005 that the events were brought before the UN Security Council. This process should have occurred sooner, and been made more urgent by giving a voice to oppressed groups, or by raising awareness on their behalf. Briefings were given to the Council in subsequent months, but immediate action was not taken. It was not until 2006 that the Council "took a rare procedural vote to add this item to its official agenda."[214] In September of

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[212] IRIN, (2012).

[213] Ibid.

[214] Security Council Report, "Myanmar Chronology of Events: Security Council Report" (2016), http://www.securitycouncilreport.org/chronology/myanmar.php.

2007, the Council held an emergency meeting to support the Secretary General's decision to send an adviser to the country, in the wake of its failing democratization and mounting hostilities between opposition groups and the government. No tangible outcomes resulted. Here, we see the failure of preventive action in the making. The Security Council is not to blame, but the political will of its members is still not strong enough to constitute great enough concern that could lead to a call for action. Even more so, the political will of Myanmar is entirely nonexistent, except in its acceptance of humanitarian aid to alleviate the economic burden that refugees pose to the region. It has even made efforts to minimize the conflict for international observers, which is a key indicator of ethnic cleansing.

The lack of political will of nations within the region to offer assistance is extremely concerning. At what point will the situation need to escalate or affect them, in order for it to become a priority? This is the practical reason as to why genocide must be framed as a security issue as soon as it is visible—to create a sense of urgency that can encourage action to alleviate the conflict. Intervention, as one solution to such a scenario, cannot always be forced. But sometimes, it must be a consideration in order to take action against genocide at all, if the lack of political will to alleviate conflict becomes more of a hindrance to helping the increasingly alienated Rohingya.

Finally in March 2010, the Council began to see the repercussions of their failed efforts in the form of human rights violations identified by the UN Special Rapporteur to the human rights situation in Myanmar, and by the Secretary General's Chief of Staff.

In June 2012,

Council members were briefed in consultations by the Special Adviser
who had visited Myanmar earlier that month. Council members were
updated on the recent troubles in the western Rakhine State, on the
communal violence between the ethnic Rakhine Buddhists and
Rohingya Muslims.[215]

Yet again, we see inaction by the UNSC. Were circumstances surrounding this
part of the still transitioning environment from peacekeeping to peacemaking? Clearly,
meetings between UN officials and high-ranking officials in Myanmar were not
achieving results based on humanitarian terms. Increased democratization was
promised, but not quickly enough to prevent the increase in hostilities against the
Rohingya. Had the Council framed this issue as a security concern early on, greater
attention would have been drawn to the country, and perhaps there would not be such
a severe migrant crisis or persecution of this group. While they currently do not have
jurisdiction over an RRF type of force, peacekeeping forces could likely have been
authorized earlier in order to prevent the razing of homes and the disruption of
humanitarian aid. This act in itself does not take sides but reinforces the goals of R2P.

There continues to be a lack of prioritization regarding human rights violations
by the UNSC. It is typically mentioned as "any other business" on their agenda.[216]
This is a serious failure by the United States and other members of the UNSC,
particularly China, because of its geographical proximity to the crisis and lack of
concern for human rights violations as a rising power. In the interests of system
leaders benefiting from the existing international structure, it is their responsibility to

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[215] Ibid.

[216] Ibid.

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elevate the importance of this issue in order to prevent it from escalating to the level of genocide. Special Advisor on Myanmar, Vijay Nambiar, has praised Myanmar for its recent peaceful elections, but "noted as a serious flaw the disenfranchisement of the Rohingya."[217] The human rights violations taking place in Myanmar are not just part of a flawed system; they are the beginnings of an even greater threat to the international peace and the stability of the region. Briefings and humanitarian assistance do not make up for necessary diplomatic and potentially military action to prevent conflict in the region. While it is not too late to institute preventive measures, as the situation has not yet been labeled genocide, such a framing of this issue must be considered immediately and brought to the attention of the UNSC with greater gusto. By recognizing the early warning signs of conflict and mounting evidence of ethnic cleansing, the UNSC must understand its obligation to act sooner rather than later, with the help of outside organizations comprised of responsible global citizens and activists.

The clear issue with the current situation in Myanmar is that the severity of the issue does not yet constitute such a dramatic response by the UNSC. Clear patterns of ethnic cleansing as we have seen in both Rwanda and Bosnia are now reappearing before our very eyes, and yet no concrete military action has been taken to stop it simply because it has not met the exact legal definition of genocide. Until this moment occurs, the situation must be extremely closely monitored, perhaps with meetings on a monthly basis to discuss the evolution of the conflict, for stages of genocide may appear that can better justify action. The UNSC must make every effort to bolster

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[217] Ibid.

diplomatic consultations with officials from Myanmar, and even potentially use incentives of mediation training for officials as a way to reverse the situation, if not coercive measures of personal sanctions. As the UNSC has obviously not yet enacted several of the structural reforms outlined earlier in this thesis, the lack of reaction on the part of the UNSC is a practical reaction to resources constraints, and a perhaps partially a shortage of legitimacy that hinders the ability of the organ to gather the political will necessary to combat genocide with a peacemaking force.

Consider the ethnic cleansing emerging in Myanmar in the context of what occurred in Bosnia. We see the same pattern: establishing military control over an area, limiting access by international observers, attacking civilians, "engineering systemic misery", the creation of inequality between groups, alienating them from society, vilifying the group to promote exclusion, and the development of hostilities, all done under close government control. Furthermore, the "killing, mistreatment, and deportation" of members of the unwanted group, has resulted in the fleeing of Rohingya to nearby nations, hoping to be accepted as refugees. We have even witnessed the destruction of mosques and homes, as part of eliminating the group's attachment to an area. There is clear group alienation from mainstream society, and the government has already undertaken the removal of moderates in its midst.

Next, there is a possibility that the government will begin to engage in greater violence and efficiency in its means of systemic removal of the group. This is definitely a danger that is posed from drawing international attention to the conflict. This specific indicator can help us to see how Myanmar will respond to international attention being drawn to the plight of the Rohingya. Will it expedite the process of removal, or take a step back and lessen the persecution of the group? The former

seems more likely because of the deeply engrained hatred and exclusion of Rohingya in the nation, and will likely continue despite recent efforts at democratization. The way to combat this step is by having a plan in place for immediate action in the case that it does escalate. If necessary, troops would need to be deployed at a moment's notice and no later. On the other hand, a lifting of restrictions on supplies to the group would offer hopes that at least humanitarian aid will be provided. This can be a very expensive long-term process for helping refugees, and the international community will likely feel the costly effects of conflict management as a response to the migrant crisis for some time.

The UNSC must act in response to this clear and direct violation of human rights, as a threat to international peace. In terms of a security threat, there is even the possibility of recruitment toward religious extremism in refugee camps, where conditions of political desperation are ripe. In order to prevent this from happening, the UNSC should place a greater emphasis on the situation in Myanmar as a threat to international peace and security, and deploy peacemaking forces there, even if consent by the Burmese government is not given. This might ensure that government sponsored or group-based violence against the Rohingya does not escalate beyond ethnic cleansing. Such a step would indicate that acts of genocide are already occurring, and the UNSC would need to shift its response to genocide management rather than prevention.

While the plight of the Rohingya is horrible, it is not yet too late to take immediate action and limit the number of IDPs and alleviate some of the negative effects of the migrant crisis. By stepping in to help those that are currently being affected, there is renewed hope for the reversal of group discrimination in Myanmar.

This can only occur with UNSC approval of multilateral intervention, and it must happen as soon as possible, with an established and individualized plan in place for creating peace within the country. The decisions made by the government leadership of Myanmar will affect the stability of Southeast Asia and the international system more than one would expect in the next few years.

Future Implications

How the UN Security Council responds to indicators of ethnic cleansing and stages of genocide, and how it acts to prevent it, will be affected by its ability to adopt reform measures necessary to increase its legitimacy in the eyes of the its member nations. Currently, the international community is able to have a greater say at the UN because of the unprecedented transparency of elections for the next Secretary General. Such transparency in the election process improves the legitimacy of the General Assembly and the position of Secretary General. The suggestions of this thesis would support the UNSC pursuing similar acts of transparency to improve its overall legitimacy as well. By allowing each candidate to speak for a limited time in front of the GA before being questioned by the Security Council, the public now has access to potential platforms for what the future of the UN might look like under the leadership of the next Secretary General.

One candidate in particular, although not allotted the time to elaborate on his plan (each candidate has only two hours to devote to questions from the General Assembly), has proposed that, if he were elected to be the next UN Secretary General, he would create a special committee on genocide prevention. The candidate advancing this proposal is Vuk Jeremic, a Serbian diplomat and foreign minister who served as

UNGA President in 2012-2013. Jeremic suggested in his Vision Statement that he would chair this committee, as the UNSG, and it would meet every month to evaluate situations around the world and make recommendations. While one cannot support a candidate solely based on one element of their platform, his plan suggested an increased importance and attention paid to genocide prevention efforts of the United Nations, a move which is highly necessary, as we have not yet eliminated genocide as a threat to international peace and security. This would be an invaluable change that would seek to draw attention to conflicts worldwide with the potential to escalate to genocide.

The UN Security Council will hopefully follow up on this proposal, as it would involve increased cooperation and preventive action against genocide. In the personal vetting sessions with the UNSC, it is important to follow up on this specific proposal because the major powers would need to know that they may be working with a person who understands the importance of the Council's prevention and intervention efforts. If they were to gain jurisdiction over an RRF, enhanced legitimacy and cooperation with the new Secretary General chairing a committee on genocide prevention would be a key step. The idea that conflicts would be analyzed on a monthly basis is a fantastic solution to closely monitor conflicts as soon as indicators of ethnic cleansing were to occur, if not beforehand.

This proposal is one example of how the threat of genocide should be of greater concern to the security of the international system, and thereby, the United Nations Security Council. By forming concrete plans for preventing genocide such as establishing a special committee under the Secretary General for both monitoring and addressing each case, the UNSC would indeed move forward in its cooperative efforts

to modernize and improve its legitimacy as the top authority for combatting genocide. The Council must act as one of many organs of the UN that strives to initiate long-term solutions, including development efforts aimed at group inequality and protection of human rights. This thesis looks forward to seeing how the Council adapts to its evolving role in a dynamic global system. If the UNSC is able to reinforce confidence in its ability to combat and eventually prevent genocide through both structural and operational reform, the potential for this body appears limitless. Through progress, we may shape the world that we want to live in and prepare future generations for what may come. Rising to meet new challenges that will unite us all as human is the way to achieve international peace. The UNSC will hopefully lead this effort towards greater unity in accomplishing global goals, by eliminating and preventing genocide as the first step toward creating a peaceful world system.

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