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THESIS SUMMARY

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Genocide and destabilization in the African Great Lakes Region

Policy recommendations for prevention

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Significance of the research topic

When people hear the word genocide they may say to themselves that only applies to far off places. We tend to forget that the roots of genocide, prejudices and hatreds are present in every society. Ideas about other groups of people who seem dangerous or potentially harmful to you are generally widespread. Still: most countries do not deal with social tensions in a genocidal way, and do not erupt in mass violence unless the political regime decides to abuse this latent potential, turning it into an actual genocide.

Before we thought genocide was other peoples' problems, let's not forget that we can rightfully call the twentieth century the century of genocide where the largest numbers were not killed in wars between states but killed in an organized way by members of their own societies, often by people who had been their neighbours.

Taking into account victims, perpetrators, and their close and further relatives, we can conclude that genocide affects two billion people directly or indirectly throughout the world. (Goldhagen[2009], p.273.) Therefore genocide represents a fundamental threat to global security since its negative spillover effects may result in regional instability.

The importance of genocide as a global security threat is largely underestimated and therefore not addressed properly. This dissertation- through case studies in three different, neighbouring African countries in the Great Lakes Region of Africa- proves that a small, from the global security perspective, seemingly insignificant genocide in Burundi in 1972 set in motion a chain of events that contributed to the Rwandan genocide and the outbreak of Africa's "world war". (Prunier[2008])

The dissertation also proposes recommendations for the international community to refine the global institutional framework for genocide prevention as well as a new legal definition of genocide that would include several new groups among protected groups of the Genocide Convention.

Research methodology

In my dissertation I am taking a deductive approach moving from a more general level to a more specific one. I study what other genocide researchers have elaborated, get acquainted with existing theories of genocide studies, and then test my hypotheses that emerge from those theories. The testing takes place by analyzing data on the African Great Lakes Region and genocidal history in Burundi, Rwanda and Zaire (now the Democratic Republic of Congo). Overall, I found support for both of my hypotheses.

In the course of bibliographic research I am going beyond merely reporting and summarizing what I read, and present my own evaluative perspective. On one hand, by examining reference lists from relevant studies, qualitative studies, review articles or relevant journal or book searches. I also read other relevant works of authors found in the above processes for additional information or studies that they may have been involved with a specific author. I put on equal emphasis on sources of “grey literature” (government, educational and other institutional reports, research organisation sites, conference proceedings and papers, dissertations).

My research approach is interdisciplinary, mixing areas of international relations, international politics, international law, history and politics of security. Analysis is taking place on several levels that are interconnected: comparison, historic analysis, evaluation of lacunae in the international preventive institutional framework.

Resources of the dissertation are threefold. Relevant literature, combined with original texts (of the Genocide Convention, relevant judgments of ICTR, ICTY, ICC) that contribute to formulate my own genocide definition, partly based on the above, partly on case studies. Third but equally essential resource are studies and analyses of different research groups dealing with genocide (e.g. Cambodian Genocide Program, Yale University, Strassler Family Center for Holocaust and Genocide Studies, Clark University). The dissertation also aims at paralleling my own deductions with non-governmental organizations’ (Médecins Sans Frontières, Amnesty International, Human Rights Watch) observations, taking into account the geographic and ethnic realities of the countries examined in the case studies.

Burundi

Twenty-two years before the devastating 1994 genocide in Rwanda, the Great Lakes Region of Africa already had to face a similar bloodshed in Burundi. From May to July in 1972, in a disproportionate retaliation campaign (Watt[2008]) of the mostly Tutsi army in reaction to a Hutu insurrection in the south part of Burundi 200.000 to 300.000 hutu civilians were killed (Lemarchand[2009]). The Tutsi elite leading the country for the next twenty years never acknowledged the genocide, nor did they investigate it. (Kiraranganiya[1985]) This „calculated amnesia” was reinforced by the indifferent attitude (Greenland [1975]) of the international community, practically ignoring what was going on in the small African country. (Brown, Freeman, Miller[1973])

Although the „official” history of Burundi tends to forget it, the 1972 genocide is a deep wound in the collective memory of the Hutu people, and through the imminent refugee influx

in neighbouring countries and the radicalisation of these refugees, it largely contributed to the recurring violence of the Great Lakes Region of Africa.(Malkki, Liisa. [1995])

Why did the international community pass by this colossal human loss? For most countries, Burundi was too far away and too small thus only represented a marginal issue in the middle of the cold war (since neither Hutus nor Tutsis were sympathetic to either Eastern or Western powers, no great powers felt their interests were threatened).(Lemarchand[1975])

Rwanda

More than eighteen years have passed since the genocide in Rwanda took place. A genocide that killed more than 500.000 Rwandan Tutsis and 30.000 moderate Hutus ((Des Forges[1999], p.17.) and led to the First Congo War and Mobutu's „dethronement”. A genocide that the African Union called preventable (Organization of African Union[2000]: Rapport sur le génocide au Rwanda)

This dissertation focuses primarily on the preparations prior to genocide, why and how the Rwandan elite chose to eliminate the Tutsi minority as well as Hutu moderates. It tackles the role of Belgian colonizers who imposed a system of rule through the Tutsi, while they discriminated the Hutu. Belgians introduced ethnic identity cards, a policy later retained in the Republic of Rwanda, that contributed to the rigidity of the previously flexible ethnic categories. The social order based on Tutsi supremacy was challenged by the 1959-61 Hutu revolution and the first Hutu government after independence in 1962. (Tarrósy István [2011])Tens of thousands of Tutsis fled the country during and after the revolution to escape ethnic purges, fighting for return from outside Rwanda. The RPF was created in 1987 by the Tutsi refugee diaspora in Uganda, and invaded northeastern Rwanda in 1990, but the offensive was shattered by the Rwandan government troops. The RPF continued the insurgency campaign, and the conflict reached a stalemate. (T. Horváth Attila [2004]) The two sides signed the Arusha Accords on power-sharing in the Rwandan government in 1993 but Hutu extremists started planning a "Final Solution" instead (Prunier,[1995] pp. 159-192.). The killing of Rwandan president Habyarimana on 6 April, 1994 marked the beginning of a wave of well-planned attacks against Tutsi and moderate Hutu all over the country (Chrétien [1995], pp. 162-174.)

I discuss the long-term effect of genocide on Rwandan society and the neighbouring countries that had to face enormous refugee influx from Rwanda. I also detail the causes (among others, the relatively narrow mandate, (Adelman and Suhrke [1996],pp. 35-36.) and consequences of UNAMIR's failure in effectively addressing the events.

Rwanda was of little strategic importance to great powers, and their indifference helped radical Hutus realizing the extermination of their political opponents as well as the Tutsi minority. (UN Security Council Report[1999], Report of the Independent Inquiry into the actions of the United Nations during the 1994 genocide in Rwanda, 1999/1257) France instead of condemning, actively helped the génocidaire regime infiltrate in Eastern Zaire (OAU [2000], p.139, 15.75.) through safe zones operated by French in the framework of their belated intervention, Opération Turquoise after the RPF took over Rwanda and halted the massacres.

Zaire

In July and August of 1994 approximately one and a half million refugees arrived in the eastern part of Zaire. (UNHCR [2000]) Although most of the newly arrived were bona fide refugees, the influx also hid génocidaires whom decided to keep on fighting for Rwanda, using the refugee camps close to the border as military bases. The former génocidaires militarized whole refugee camps, forcing aid organizations to cooperate with them. They prevented refugees from returning to Rwanda, organized administration in camps mirroring the genocidal regime in Rwanda. Kigali called for the demilitarization of camps and the separation of armed elements from bona fide refugees multiple times in vain.(Szabó Loránd [2008])

In 1996 Rwanda started considering a military intervention in Eastern Zaire to put an end to ex-FAR guerrilla attacks and incursions originating from North and South Kivu. (Tanner, Fred és Stedman, S.J. [2003]) Rwanda also feared a radical hutu succession of power in neighbouring Burundi, wanted to give a helping hand to local Zairean rebels in turning over Mobutu and last but not least Rwanda planned to play the "genocide card" (acting while the international community still praised Kagame and the RPF as those who put an end to genocide in Rwanda).(Prunier[2009])

From 1996 autumn, the fight to dethrone Mobutu and the full, frontal attack against refugee camps were closely linked to one another, and the Rwandan armed forces, together with local rebels (AFDL) killed approximately 200.000 Rwandan hutu refugees.(Emizet, Kisangani N.F. [2000], Garreton, Oscar [1998])

Although there was an action plan for international intervention in Eastern Zaire to stop massacres (Dupont, Patrick [1996]), when several hundred thousand refugees started fleeing back to Rwanda, and the location of the rest was extremely difficult to define, the unstable political will of the international community evaporated, stating that the problem

”disappeared”.(Karacs,Imre [1996]) This indecision was to have major impact on the future of the whole Great Lakes Region security complex.(Braeckman, Colette [2003])

Conclusions of the dissertation

First thesis

1. thesis: The definition of genocide is far from unequivocal since the text of the primary legal source, the Convention on the Prevention and Punishment of the Crime of Genocide raises a number of questions. The clear, objective delineation of the notion would be absolutely vital for effective prevention. In my opinion, the circle of protected groups is too narrow and should be widened to contribute to capable forestalling of genocide.

Since its adoption, the convention has come under fire from different sides. Some analysts contend that the definition is so narrow that none of the mass killings perpetrated since the treaty's adoption would fall under it.¹

In light of the aforementioned three case studies, in my opinion the treaty should be amended, to widen the circle of protected groups. My suggestion for a new definition is as follows (the modification is highlighted):

”[...]genocide means any of the following acts committed with intent to destroy, in whole or in part, a group **selected on the basis of criteria determined by the perpetrators**:

¹Excerpt from the Convention:

"Article II: In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

(a) Killing members of the group;
(b) Causing serious bodily or mental harm to members of the group;
(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
(d) Imposing measures intended to prevent births within the group;
(e) Forcibly transferring children of the group to another group.

Article III: The following acts shall be punishable:

(a) Genocide;
(b) Conspiracy to commit genocide;
(c) Direct and public incitement to commit genocide;
(d) Attempt to commit genocide;
(e) Complicity in genocide."

- (a) Killing members of the group;
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- (a) Genocide;
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- (d) Attempt to commit genocide;
- (e) Complicity in genocide.”

This suggestion could either be realized by the modification of the original Genocide Convention due to a growing number of cases where massacres occur against groups that do not belong to the current Convention’s restricted circle of protected groups. The other option is to establish a new treaty that would comprise the same prohibitions protecting those groups that are not included in the original Convention. (Jones [2010])

From three case studies, two would not fall under the strict categories of the current Genocide convention: the genocide in Burundi took place along ethnic *and political* lines. The victims were selected because they were Hutu but also because of their current or potential future leading role in the Hutu society in Burundi. The genocide in Rwanda was based on ethnic *and politic* criteria: Hutu radicals tried to exterminate Hutu moderates as well as the Tutsi minority in the country. In Zaire, in my opinion all the necessary elements of the current Genocide Convention were present: an important part of the target group of Hutu refugees were killed in the attacks against refugee camps. Those refugees who decided to move further westwards in Zaire, experienced a forced march completely deprived of water and food. These conditions were deliberately inflicted upon them by the perpetrators who did not let aid agencies operate unharmed. In several cases, no effort was made by Rwandese soldiers to separate armed elements from bona fide refugees during these mass killings. (Prunier, Gérard [2009]) Fourteen years later, the UN report on human rights violations in the DRC is still talking about ”genocidal acts” instead of genocide. (UN OHCHR[2010],pp.278-282)

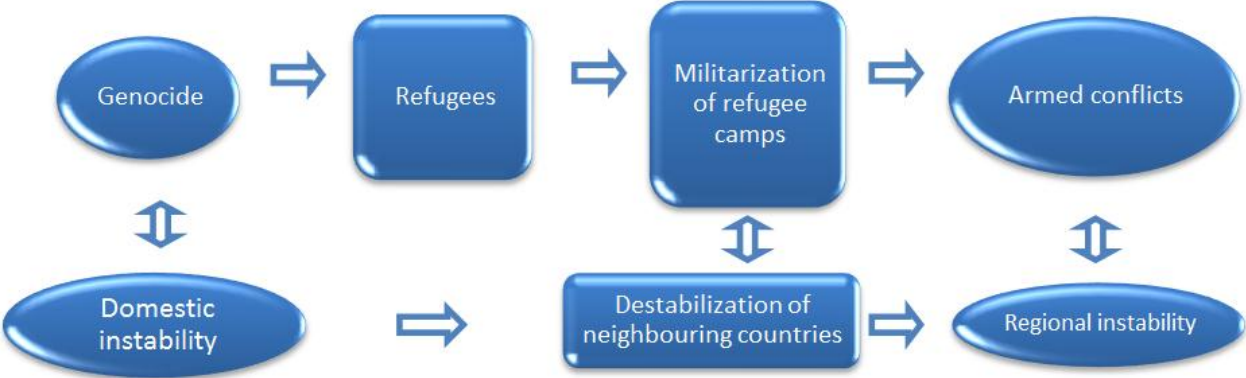
Why are decision makers so reluctant to use the ”g-word”? (The uses and abuses of the G-word, The Economist [2012]) Because the genocide convention creates obligations on the international community and on individual states that would be triggered by a declaration

that genocide has happened. That is why widening the original legal definition and clearing up its widespread use by decisionmakers and lawyers might help creating a more effective legal framework in preventing the crime of crimes from happening.

Second thesis

2. thesis: The prevention of genocide is an elementary interest of the international community because the refugee exodus resulting from it causes serious instability in the source and target country and through negative spillover might have implications for the whole regional security complex and global security.

The following flowchart shows the interconnectedness of genocide, refugee crises (Salehyan, Idean [2007]) and militarization of refugee camps:



Source: own work

After the 1972 genocide against Hutus in Burundi, cca. 300.000 Hutus fled the country to neighbouring Tanzania, Rwanda and Zaire. The first radical Hutu movements were founded in militarized refugee camps in Tanzania. (ICG Central Africa Report N° 12, 25 November 1999, p.2) Among refugee Hutus, a common mythology evolved regarding their identity based on differences from Tutsis. Hutus in the whole Great Lakes Region of Africa shared ideas about Tutsis aiming at dominating the whole region and Hutus. (Malkki[1995]) The same ideas were formulated in Rwanda before the genocide by infamously radical pro-Hutu newspaper Kangura and Radio Libre Milles Collines.

Refugee influx from Rwanda after the 1994 genocide triggered long-term animosities between Rwanda and neighbouring countries and the whole African continent resulting in two successive wars, the second dubbed Africa's world war.(Prunier[2008]) The main reason for that was that with the largest refugee groups heading to Eastern Zaire, genocide perpetrators also infiltrated refugee camps. Then, as a mirror image to that of the génocidaire government in Rwanda, they organized administration and daily life in camps, forcing aid organizations to cooperate with them. (UNHCR Publications [2000]: The State of The World's Refugees 2000: Fifty Years of Humanitarian Action. Chapter 10: The Rwandan genocide and its aftermath) These refugee warriors pursued their fight for Rwanda, and used refugee camps along the Rwandan-Zairean border as bases for guerrilla warfare they launched attacks across state boundaries into Rwanda, with the ultimate aim of toppling the new Rwandan regime.(Spagat, Mack, Cooper, Kreutz [2009])

Rwanda, with the help of local rebels in Eastern Congo fighting for the demise of Zairean dictator Mobutu, attacked these refugee camps and killed cca. 200.000 refugees. Local rebel forces continued their war for toppling Mobutu, and the Rwandan army (with the help of Ugandan and Burundian forces) played a great role in the coup d'état that finally installed Laurent-Désiré Kabila as the head of the state of Zaire in May 1997. (Gondola [2002], p.166)

Kabila soon turned against his former allies, drawing Rwanda, Uganda, Angola, Zimbabwe, Sudan, and other African nations (the whole core of the continent) into an extended and chaotic war (Prunier[2008]) that caused approx. 5,4 million excess deaths in the Democratic Republic of Congo (former Zaire) between 1998 and 2007. (Coghlan, Ngoy, Mulumba, Hardy, Bemo, Stewart, Lewis, and Brennan [2008]: Mortality in the Democratic Republic of Congo: An ongoing crisis. New York: International Rescue Committee).

The dissertation's case studies (Burundi, 1972, Rwanda, 1994, Zaire, 1996) are closely related to one another. The chain of events described above are partly the result of the failed preventive efforts of the international community. By effective prevention, these millions of lives could have been spared.

Policy Recommendations

- 1. For the effective prevention of genocide, we need regional "focal points" all over the world, that would collect and analyze information, and present policy options and recommendations for decision makers.**
- 2. Unlike most of the other main human rights treaties, the Genocide Convention does not establish a monitoring mechanism. A treaty body should be set up, comprising of independent experts of state parties. The Genocide Prevention Committee would periodically monitor and review state parties compliance with the preventive obligations of the Genocide Convention.**

1. The dissertation presents two possible "focal points". By analyzing the operation of the International Conference on the Great Lakes Region (ICGLR) and the Budapest Centre for the International Prevention of Genocide and Mass Atrocities, the reader gets an idea of the future global prevention network.

ICGLR fights against genocide on a regional, national and local level. Regional Committees regularly review situations in each member state for the purpose of preventing genocide, collect and analyze information related to genocide, alert the Summit of the Conference in good time in order to take urgent measures to prevent a potential genocide from happening, contribute to raising awareness and education on peace and reconciliation through regional and national programmes, recommend policies and measures aiming at prevention. National committees and local organizations apply the above functions at the national and local level in member states.

Another initiative of ICGLR is Early Warning and Proper Response system, an effort towards prevention as a well-established and functioning system that has the potential of communicating threats of violence early enough for decision makers to prevent genocide through regularly reviewing situations in member states and alerting decision makers in good time, trying to fill up the warning-response gap. (ICGLR Booklet [2012])

The Budapest Centre has similar objectives. It works to help bridge the gap between early warning and early action in the prevention of genocide and mass atrocities by producing

concrete and practical recommendations to help ensure informed, timely and effective preventive action by the international community.

The Centre also promotes the operation of an integrated early warning and early action-system and the necessary political consensus for timely and efficient action at international, regional and national levels. (www.genocideprevention.eu, [2013.02.12.])

In my opinion, the global genocide prevention network could become really effective if similar "focal points" were set up in South America, Asia and other regions of Africa. These institutes would monitor situations in their region, and would establish good relations with regional and international decision makers and international organizations. In case of "genocide alert", the system of focal points would work as an alert chain, each unit lobbying and pressurizing its own network for effective prevention. Meanwhile, the local focal point would try to mediate and prevent the escalation of the conflict.

2. A treaty body monitoring genocide prevention activities of member states of the Genocide Convention could either be set up possibly by amending the Convention, or adding an optional protocol to it or simply by a resolution of the General Assembly.

Opting for an optional protocol that all the member states would hypothetically join, the Genocide Prevention Committee (similarly to the UPR mechanism of the Human Rights Council) (Human Rights Council resolution 5/1 of 18 June 2007, Annex) would monitor all 142 states, periodically every three years (the countries to be monitored would be chosen by drawing lots). In the first year, 47 (group A), in the second, 48 (group B), in the third, 48 states (group C) would be examined by a team of experts from a different group. The team would select three rapporteurs (by drawing lots) who prepare the final outcome document. The reviewed country has to file a report to the expert team on the advances in the field of genocide prevention no later than six weeks before the monitoring starts. (Haász, Szappanyos [2012])

After an interactive consultation between the team of experts and the reviewed country, rapporteurs prepare the final document, reviewing what happened in the last three years and making recommendations regarding genocide prevention. The Committee might help the implementation by means of providing experts, financial support and practical tools for the country under monitoring. (Human Rights Council resolution 5/1 of 18 June 2007, Annex) The Committee would finance its operation from a voluntary fund based on contributions of wealthier member states.

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