



GPN Genocide Year in Review 2009

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Genocide in Our Time: The Year and a Half in Review

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For anyone who is concerned about the issue of genocide, a look back at the first half of 2009 and all of 2008 is bound to produce as much frustration as it does hope. This past year and a half saw a number of both positive and negative developments in regards to the prevention and intervention of genocide, some of which may well have a lasting impact. The place to begin this review is with a situation that has seen very little change for the better and that is the 21st century's first and most well known example of this crime, the Darfur.

In the Darfur region of the Sudan the genocide that began in 2003 has continued unabated, albeit in modified form. The widespread violence and destruction of villages so commonplace during the early years of the genocide has become less common in favor of smaller scale atrocities and attacks on internally displaced persons (IDP) camps. This development is hardly surprising given that most non-Arab villages in the region have by now been destroyed and almost three million people have become internally displaced persons scattered in camps throughout this part of the Sudan or refugees in neighboring Chad. Because of this reality, much of the current genocidal actions of the Sudanese state have been centered on attacking and harassing the IDP camps which are often largely defenseless and highly vulnerable. Because of the dangerousness of this situation and the targeting of aid workers, many international aid organizations have scaled back their humanitarian operations or simply left, which means that not only are the IDP's subject to violence and harassment from the national government and their paramilitary proxies, but they also face increasing difficulties in obtaining the bare necessities of life such as food, potable water, and medical supplies and assistance. Unfortunately, outside of the Sudan and apart from a few activists and scholars, attention and interest in the ongoing genocide have diminished dramatically. It seems as if the genocide is no longer such a pressing concern. Eric Reeves, a scholar who has continued to call attention to the on-going genocide in the Darfur writes that, "With dismaying predictability, the continuing catastrophe in Darfur commands less and less news attention, largely because it has settled into a grim "genocide by attrition," defined not so much by massive atrocities – although these continue to occur – as by relentless, if undramatic, human suffering and destruction consequent upon the Khartoum regime's deliberate exacerbating of insecurity confronting civilians and aid workers."¹ And so, the genocide and the suffering continue with diminishing attention and no effective intervention strategies on the part of the United Nations or the international community.

One notable exception to this lack of action in regards to the situation in Darfur was the recent indictment of the President of the Sudan, Omar Hassan Ahmad al-Bashir. Coming to power in 1989 after leading a coup and usurping the power of the previous government, al-Bashir has been in power ever since. On July 14, 2008, the prosecutor of the International Criminal Court, Luis Moreno-Ocampo, filed numerous charges against Omar al-Bashir that included ten charges of war crimes, three counts of genocide, five of crimes against humanity, and two charges of murder. Essentially, this indictment contends that al-Bashir is criminally responsible for planning, coordinating, and implementing a counter-insurgency campaign against the Sudanese Liberation Movement/Army and the Justice and Equality Movement in the Darfur region of the Sudan and that part of this operation involved attacks on the civilian population of the area by the military, the police, and militia groups known as the Janjaweed. These are not the first charges brought against Sudanese officials by the ICC. In 2007 Ahmad Muhammad Harun, a former government minister, and Ali Muhammad Ali Abd-Al-Rahman, the ostensible leader of the Janjaweed militia, were also indicted and issued with arrest warrants for their complicity in the violence in the Darfur. In response to al-Bashir's indictment, on March 4, 2009 the Pre-Trial Chamber of the International Criminal Court issued an arrest warrant for Omar al-Bashir. Of striking significance is that this is the first time that a sitting head of state has ever been so charged. While former heads of state, such as Slobodan Milosevic have been called before the bar of justice, the issuance of an arrest warrant for a head of state while still in office may well prove to be a significant milestone in the development and application of international human rights law. Interestingly, even though the arrest warrant lists al-Bashir as an indirect perpetrator or indirect co-perpetrator for various crimes, including intentionally directing attacks against civilian populations and civilians, pillage, murder, torture, and rape among other crimes, genocide was not included by the judges of the ICC, although one judge wrote a dissenting opinion arguing that al-Bashir could be charged with genocide. Luis Moreno-Ocampo, the prosecutor, did in fact appeal to have the charges of genocide reinstated, but the pre-trial chamber ruled that there wasn't enough evidence to support the notion that al-Bashir exhibited specific intention to destroy, in whole or in part, a protected group which in this particular case would be members of the Fur, Zaghawa, and Masalit tribes. Not surprisingly, the Sudanese government has rejected the legitimacy and appropriateness of the arrest warrant and al-Bashir has referred to the charges against him as lies. Given the unwillingness of the Sudanese government to serve the warrant, the only real effect at present is to prevent al-Bashir from traveling internationally [Ed. To some locations], as that would expose him to the risk of arrest. [Ed. Note: See the **GPN WORLD GENOCIDE SITUATION ROOM** for an entry on Sudan which gives a list of the considerable travel Bashir has undertaken since the ICC conviction, where in each case he has been received with the honor due a head of state and not as an accused murderer,]

Elsewhere in Africa, genocidal related violence also continued to take its toll of victims during 2008 and 2009. In the Eastern Congo, for example, this kind of violence has been the dominant reality for many years. The contemporary conflict has its beginning in the 1994 Rwandan genocide when the Rwandan Patriotic Front (RPF) led by Paul Kagame won the civil war and overthrew the genocidal Hutu regime that was

responsible for the deaths of between 800,000 and 1,000,000 of its own citizens. Consequently, about a million Hutu refugees streamed across the border into the neighboring country of what was then called Zaire and now the Congo.² Among these were many soldiers from the ousted Hutu government, various local and national politicians, ordinary civilians, and even members of the infamous Interahamwe militia. Many of these refugees had been active participants in the Rwandan genocide against the Tutsi and the camps they fled to soon became rife with violence as many of the former genocidaires began victimizing their fellow refugees. Some even began to organize raids back across the border into Rwandan territory. Eventually, the Rwandan army of the new government invaded in 1996 and set off fighting that has continued sporadically to the present day. This incessant fighting has destabilized this entire portion of Africa, killed millions (up to 5.4 million according to one educated guess),³ and internally displaced another estimated million. One significant and perverse feature of much of the violence has been the particular targeting of women for various forms of sexual assault. In fact, gender-based violence is so extreme and pervasive in this region that one United Nations officer commented that it is more dangerous to be a woman in the affected areas than it is to be a soldier, while a reporter for the *New York Times* labeled the eastern Congo as the rape capital of the world.⁴ In January of 2009, the Congo allowed portions of the Rwandan military to enter the country in a cooperative effort to eliminate the Democratic Forces for the Liberation of Rwanda (FDLR), an organization responsible for much of the violence in the Congo and which is largely composed of former genocidaires and refugees.

Another positive legal development that took place in the summer of 2008 was the apprehension of the former leader of Bosnian Serbs, Radovan Karadžić, who was finally taken into custody in Belgrade after many years of being on the run. A former psychiatrist and poet, Karadžić formed a Serbian political movement in Bosnia-Herzegovina in 1989 known as the Serbian Democratic Party in order to try and prevent Bosnia from seceding from Yugoslavia.⁵ Ultimately, when Bosnia did in fact declare independence in 1992, Karadžić and his party took over the portion of the country in which Serbs predominated and declared it to be the Serbian Republic of Bosnia-Herzegovina, later renamed the Republika Srpska.⁶ From 1992 to 1996 Karadžić served as the nascent Republic's first president. Aided and abetted by Slobodan Milošević in Serbia, the Serbs of the newly formed Republic under Karadžić's leadership engaged in a campaign of violence and terror that soon became known as ethnic cleansing. Subsequent to the atrocities, Karadžić was indicted by the International Criminal Tribunal for the Former Yugoslavia (ICTY) for crimes against humanity, war crimes, breaches of the Geneva Convention, and the illegal transfer of civilians because of their religious or national identity. Essentially, the indictment contends that he was responsible, as the primary military and political leader of the Republika Srpska, for the siege of Sarajevo, taking U.N. troops hostage, many massacres including the infamous one that occurred after the fall of Srebrenica and which the ICTY is defining as a genocide, internally displacing many hundreds of thousands, as well as the imprisonment of thousands of others in concentration camps throughout the territory they controlled. Eluding the authorities for years, Karadžić had grown a long beard and ponytail and had been living openly in the Serbian capital of Belgrade under the alias of

Dr. Dragan David Dabić, a supposed expert in alternative medicine, bio-energy, and macrobiotic foods and diet. After his arrest on the 18th of July in 2008, Karadžić was remanded into the custody of the ICTY on July 30 where he is in the pre-trial stages of his prosecution.

One last noteworthy event that took place during the time period under review was the release of the report of the Genocide Prevention Task Force. Chaired by former U.S. Secretary of State, Madeleine Albright, and former U.S. Secretary of Defense, William Cohen. The task force was convened by the United States Holocaust Memorial Museum, the American Academy of Diplomacy, and the United States Institute of Peace. The purpose of this exercise was to try and develop a framework to help guide the U.S. government in dealing more effectively with potential and actual genocides and mass atrocities. The report highlights the need for strong leadership on the part of the President, Congress, and the American people in responding to budding crisis situations that may lead to genocides. The report also emphasizes the importance of early warning systems in order to identify impending hotspots of genocidal activity with enough advance notice to develop effective intervention strategies, especially preventive diplomatic initiatives that may help dissuade genocidally inclined leaders and regimes. The report also stresses the importance of military options when preventative strategies have failed and the importance of the international community in developing multilateral efforts to prevent and intervene. Given the preoccupation of the current administration and Congress with the economic meltdown and its consequences, nothing much has yet come of the report, and it remains to be seen whether this blueprint will have any lasting impact in terms of how the U.S. government confronts the reality of genocide around the globe.

In essence, then, most of the progress in fighting genocide in recent years has usually taken place in the legal arena. While the arrest and prosecution of genocidaires is an important aspect of any genocide intervention regime, it must be pointed out that these are almost always post-genocide. They only occur after the violence and killing have been perpetrated. Clearly, much more progress needs to occur around the issue of early identification and prevention. Unfortunately, 2008 and 2009 did not see any real progress on this front.

Author Bio

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He has also served as an editor for the journal Violence and Victims, was a founding co-editor of the journal Genocide Studies and Prevention, was a co-editor of the H-Genocide List Serve, and is an editorial board member for the journals War Crimes, Genocide, and Crimes Against Humanity: An International Journal, and Idea: A Journal of Social Issues. He has been invited to present his research in various countries such as Austria, Bosnia, Canada, Germany, the Netherlands, and Sweden. Dr. Alvarez also gives presentations and workshops on various issues such as violence, genocide, and bullying.

Endnotes

¹ Reeves, Eric (2009). Darfur enmeshed within Sudan's broadening national crisis. (<http://www.sudanreeves.org/Article231.html>), Jan. 1. Accessed on January 25, 2009.

² Tran, Mark (2008). Backstory: Violence in Congo." Guardian.co.uk, (<http://www.guardian.co.uk/world/2008/dec/04/congo-violence/print>). Accessed on January 25, 2009.

³ See the International Rescue Committee which conducted a number of mortality surveys between 2000-2007. (<http://www.irc.org>).

⁴ Kristof, Nicholas. (2008). The weapon of rape, *New York Times* Op-Ed piece, June 15. (http://www.nytimes.com/2008/06/15/opinion/15kristof.html?_r=2&oref=slogin).

⁵ Glenny, Misha (1999). *The Balkans: Nationalism, War and the Great Powers, 1804-1999*, New York: Viking.

⁶ Burg, Steven L. and Shoup, Paul S. (1999) *The War in Bosnia-Herzegovina: Ethnic Conflict and International Intervention*, Armonk, N.Y.: M. E. Sharpe.