

Forum: The General Assembly

Issue: The Question of the Prevention of Genocide, War Crimes, Ethnic Cleansing, and Crimes Against Humanity

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Introduction

Genocide, war crimes, ethnic cleansing, and crimes against humanity are all recognized as international crimes under international criminal law. That means that they are globally recognized as atrocity crimes, which have been committed regardless of sanctions and restrictions. Atrocity crimes are prone to take place in or be committed by, for example, countries that have weak state structures and countries that have a history of violations of international law. History will keep repeating itself unless truly effective preventative measures are put in place. The true challenge is coming up with efforts that all countries, especially those that have committed atrocities, will obey.

Definition of Key Terms

Atrocity crimes¹

Atrocity crimes are composed of the three legally defined international crimes: genocide, crimes against humanity, and war crimes. Atrocity crimes are recognized as international crimes since it is believed that any acts associated with them affect the core dignity of humans.

Genocide^{2, 3}

Genocide is the mass extermination of a group of people (eg. religious or ethnic). Genocide can be executed by killing, causing bodily or mental harm, preventing births, or blocking access to resources necessary for living.

¹ UN [Framework of Analysis for Atrocity Crimes](#) accessed 28.01.2022

² UN [Genocide Prevention](#) accessed 02.03.2022

³ BBC [How do you define genocide?](#) accessed 02.03.2022

War crimes^{4, 5}

War crimes violate customary practices in war and individuals can be held accountable for these crimes. Actions that disregard the rules of armed conflict include, for example, intentionally attacking any persons involved in humanitarian assistance and attacking territories which are either undefended and/or non-military objects. The prosecution for a war crime can happen no matter how much time has elapsed since the commitment of the crime.

Crimes against humanity⁶

Crimes against humanity specifically target civilians and include eg. murder, sexual violence, and torture. These crimes can be committed in times of both war and peace, since unlike war crimes, they are committed by a state, not an individual. When committed during time of peace, crimes against humanity are often part of government policy. Crimes against humanity differ from genocides as they exclusively target civilians, whereas genocides can target soldiers as well.

Ethnic cleansing⁷

Ethnic cleansing is defined as a crime against humanity by the international criminal court. Similar to genocide, ethnic cleansing strives to remove a specific ethnic group from a geographical area by using either force or intimidation. This can be done by the means of, for example, deporting civilians, sexual violence, and destruction of medical resources.

Explanation of the Question

Preventing atrocity crimes is a complex issue. There is no quick solution to the question as resistance to these crimes needs to be built over a long period of time. This is proven by the fact that even in the past 74 years, the solutions which were developed in the Genocide Convention have still not proven to be fully effective, as we have observed, for example, the Rwandan Genocide in 1994 and the ongoing Uyghur Genocide. Prevention of atrocity crimes includes supporting strong and diverse societies and media, guaranteeing all human rights are protected, and eliminating corruption.⁸

The root causes and indications of atrocity crimes^{2, 9}

⁴ BBC [War crimes](#) accessed 02.03.2022

⁵ Study [What are war crimes?](#) accessed 02.03.2022

⁶ Trial International [Crimes against humanity](#) accessed 02.03.2022

⁷ UN via Web Archive [ICC](#) accessed 02.03.2022

⁸ UN Office on Genocide Prevention and the Responsibility to Protect [Genocide Prevention](#) accessed 28.01.2022

Atrocity crimes are not spontaneous acts but instead acts that stand behind a long development. To prevent these crimes, one needs to understand their root causes. It is possible to identify atrocity crimes early on through warning signs and risk factors, such as behaviors and environments leading to the execution of atrocity crimes. All risk factors can be sorted into two categories: natural and dynamic circumstances. Natural circumstances are elements constantly present, such as state structures and their strength. This means, for example, continuous instabilities within a government and civilian trust in the government. Dynamic circumstances are not constantly present and can occur out of nowhere, such as triggering events like sudden deployment of armed forces. A common indicator of genocide is the dehumanization of a people.⁹

The effects of globalization on the execution of atrocity crimes¹⁰

Since globalization promotes internationalism and solidarity between countries, some countries and (extremist) groups can feel threatened. They believe that outward influence threatens the core of their beliefs and traditions and may commit atrocity crimes based on this justification. An example of this is the recent invasion of Ukraine executed by Russia. Russia justified its invasion by claiming that it could not safely develop and exist due to threats from modern Ukraine.¹¹ An example of these threats is what president Putin claimed to be the erasure of the Russian language and culture from Ukrainian regions. Globalization is a cause that can not be prevented as effortlessly since the progress of globalization is out of people's control.

Who is at risk?¹²

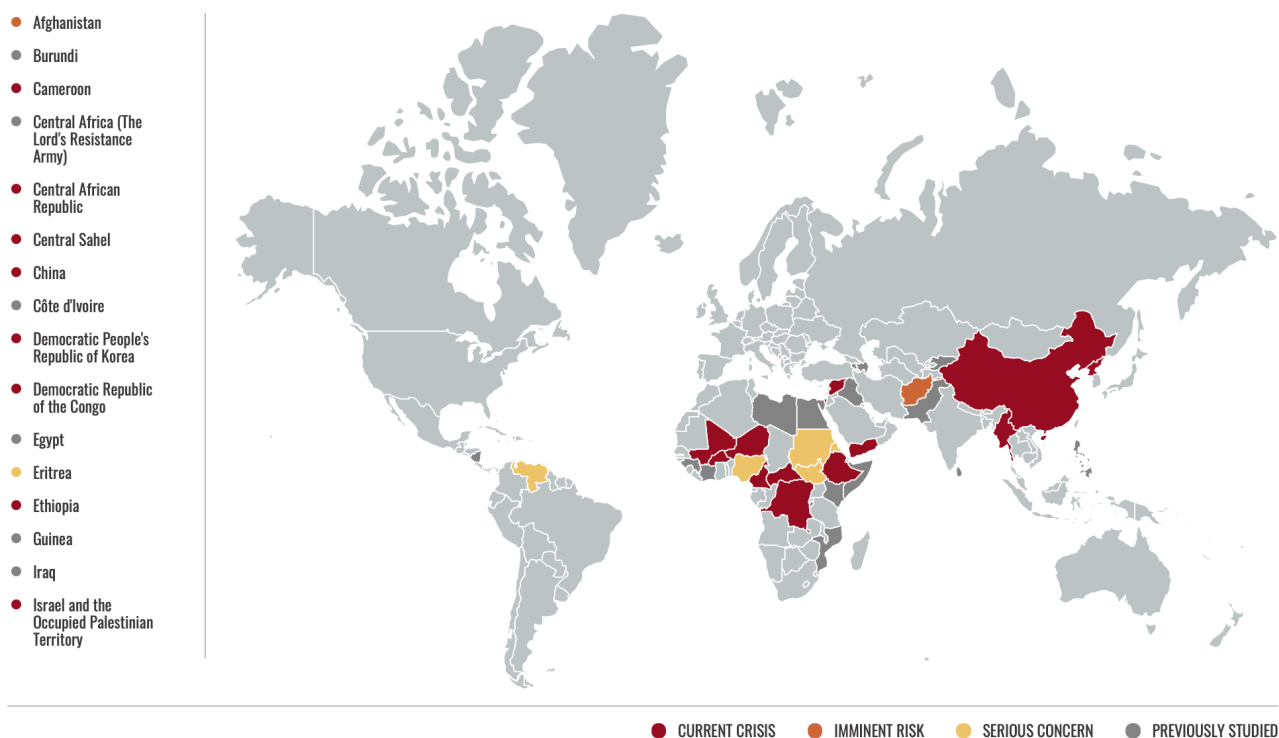
No one is immune to atrocity crimes, but certain conditions impose a higher risk. For example, the previously mentioned unstable or weak state structures, triggering events, and dehumanization. The Global Centre for the Responsibility to Protect (GCR2P) has gathered a list of countries that are currently at high risk.

⁹ UN [Genocide Begins with Dehumanization](#) accessed 14.03.2022

¹⁰ The Global Policy Forum [The Threat of Globalization](#) accessed 14.03.2022

¹¹ BBC [Why has Russia invaded Ukraine?](#) accessed 14.03.2022

¹² R2P [Populations at Risk](#) accessed 14.03.2022



Populations at Risk (last updated 01.03.2022 but does not include Ukraine)

These countries have various root causes in common. These causes were either not recognized or recognized but not ceased. For example, Cameroon and the Central African Republic (CAR) are both at risk or have ongoing crises due to government-related instability and widespread violence. Many other countries are facing heightened risk due to active extremist groups.

Key Member States and NGOs Involved and Their Views

Russian Federation

Ranking second in military power¹³ and possessing the most nuclear weapons in the world,¹⁴ Russia undoubtedly has the resources to commit atrocity crimes. Previously, the Russian Federation has committed crimes against humanity and/or war crimes against eg. Georgia,¹⁵ the Central African Republic¹⁶, and Ukraine¹⁷. In the currently ongoing large-scale Russian invasion of Ukraine, Russia has been accused of war crimes by Ukrainian President Volodymyr Zelensky¹⁸ and British Prime Minister

¹³ Global Firepower [Russia's military strength](#) accessed 02.03.2022

¹⁴ BBC [How many nuclear weapons does Russia have?](#) accessed 02.03.2022

¹⁵ Human Rights Watch [Georgia](#) accessed 02.03.2022

¹⁶ UN (OHCHR) [Central African Republic](#) accessed 02.03.2022

¹⁷ Amnesty [Ukraine](#) accessed 02.03.2022

¹⁸ BBC [Zelensky](#) accessed 02.03.2022

Boris Johnson.¹⁹ Russia has responded to these accusations by referring to them as unacceptable and recalling that, for example, American military actions have killed thousands of people. Russia does not believe that its actions allow space for aggression towards Russia from other countries. When the Russo-Ukrainian war began in March 2014 the European Union (EU) decided to react. So far the EU has responded to Russia's actions with restrictions and sanctions regarding the economy, media, diplomacy, and travel.²⁰ For example, the assets of Russia's central bank have been frozen and Russian airlines have been banned from multiple regions' airspaces.

China^{21, 22}

The treatment of the Uyghur population in China, a part of the Xinjiang conflict, is considered genocide by Article II of the Convention on the Prevention and Punishment of the Crime of Genocide.²³ The tension between Uyghurs and China is rooted in economic and cultural factors and although global attention to the issue has only been brought up in recent years, tensions have been reported since 2009. In Amnesty International's annual report in 2013, it stated that what Chinese authorities saw as "illegal religious and/or separatist activities" had been criminalized.²⁴ Since then, the Chinese government has gradually stripped away the rights of China's Uyghur population. This includes eg. forced sterilization, which falls under Article II(d) in the Convention on the Prevention and Punishment of the Crime of Genocide. Those Uyghurs that have spoken out on the issue have faced increasingly aggressive and intensive harassment.

Afghanistan

From May to June of 2021, the North Atlantic Treaty Organization (NATO) and the United States of America (USA) slowly withdrew thousands of soldiers from Afghanistan. During this time, the Taliban began taking control of Afghanistan, and by mid-August, Afghanistan was under Taliban rule. The Taliban, designated as a terrorist organization by the UN, was accused of committing war crimes during its offensive.^{25, 26} Amnesty International has reported on war crimes committed by the Taliban during its rule and the sudden increase in Afghan refugees during the offensive.²⁷ For example, the torture and killing of civilians committed by the Taliban is seen as a crime against humanity and war crime in Article 7 of the Rome Statute of the International Criminal Court.²⁸ Alongside the Taliban's actions, Afghan and

¹⁹ BBC [Johnson](#) accessed 02.03.2022

²⁰ European Council [Sanctions and Restrictive Measures](#) accessed 02.03.2022

²¹ BBC [Uyghur treatment 2021](#) accessed 29.03.2022

²² BBC [Uyghur treatment 2014](#) accessed 29.03.2022

²³ UN [Convention on the Prevention and Punishment of the Crime of Genocide](#) accessed 29.03.2022

²⁴ Amnesty International [Annual report: China 2013](#) accessed 29.03.2022

²⁵ UN [S/RES/1267](#) accessed 29.03.2022

²⁶ BBC [War in Afghanistan](#) accessed 29.03.2022

²⁷ Amnesty International [War crimes and civilian harm](#) accessed 29.03.2022

²⁸ UN [Rome statute of the International Criminal Court](#) accessed 29.03.2022

American military forces have run both air and ground military operations resulting in civilian harm in Afghanistan.²⁹

The Global Centre for the Responsibility to Protect (GCR2P)³⁰

The GCR2P upholds the norm of the Responsibility to Protect (R2P). R2P was adopted by the United Nations (UN) in 2005 in the UN World Summit Outcome Document (A/RES/60/1).³¹ It states that each state has a responsibility to protect its populations from atrocity crimes by prevention. It also states that the international community has the responsibility to aid any states complying with the responsibility. R2P was created after the international community failed to stop the atrocity crimes committed in Rwanda and former Yugoslavia.³² Soon after, the GCR2P was established in 2008 by supportive governments and Non-Governmental Organizations (NGOs). The GCR2P conducts research, recommends strategies, and engages in advocacy all while closely cooperating with states and NGOs. The GCR2P is crucial for R2P to be operationalized. Currently the GCR2P publishes weekly and quarterly reports of current ongoing crises and populations at risk of atrocity crimes.

Amnesty International^{33, 34}

Amnesty International is an NGO dedicated to human rights. It investigates and reveals information on the abuse of human rights around the world, which is essential for recognizing crimes against humanity and genocides. Similar to the GCR2P, Amnesty only focuses on research and campaigning and therefore it is up to states or other NGOs to carry out any concrete action where it is needed. Through ongoing research into human rights violations, the international community can better understand who is prone to be a victim of or commit atrocity crimes. Currently Amnesty is reporting on, for example, the unequal and abusive treatment of asylum seekers by authorities of various European countries in relation to the war in Ukraine.

Timeline of Events

Date	Description of event
April, 1946	The International Court of Justice (ICJ) begins operations ³⁵
December 9th, 1948	Convention on the Prevention and Punishment of the Crime of Genocide ²⁴

²⁹ Amnesty International [Repeated war crimes and bloodshed](#) accessed 29.03.2022

³⁰ GCR2P [About us](#) accessed 29.03.2022

³¹ UN [World summit 2005](#) accessed 29.03.2022

³² GCR2P [What is R2P?](#) accessed 29.03.2022

³³ Amnesty International [Who we are](#) accessed 29.03.2022

³⁴ Amnesty International [What we do](#) accessed 29.03.2022

³⁵ UN [ICJ](#) accessed 29.03.2022

April 22nd, 1970	Treaty on the Non-Proliferation of Nuclear Weapons ³⁶
July 17th, 1998	Rome statute of the International Criminal Court ²⁹
July 1st, 2002	The International Criminal Court (ICC) begins operations ³⁷
September 16th, 2005	R2P in the World Summit Outcome Document ³²

UN Involvement, Relevant Resolutions, Treaties and Events

The UN has created the Framework of Analysis for Atrocity Crimes in which the then Secretary-General of the UN, Ban Ki-moon, speaks on the prevention of atrocity crimes.² Since then the current Secretary-General António Guterres has stated that all atrocity crimes are preventable and that the international community should be more active in the prevention of such crimes.³⁸

- Convention on the Prevention and Punishment of the Crime of Genocide (**A/RES/3/260**)³⁹
- Treaty on the Non-Proliferation of Nuclear Weapons, 22 April 1970 (**INFCIRC/140**)³⁷
- Rome Statute of the International Criminal Court, 17 July 1998 (**C.N.651.2010**)²⁹
- The International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and of the Prevention of This Crime, 9th of September⁴⁰
- 2005 World Summit Outcome Document (**A/RES/60/1**)⁴¹

Possible Solutions

Laws, conventions, and treaties

The first convention regarding the prevention of atrocity crimes was the Convention on the Prevention and Punishment of the Crime of Genocide in 1948. It gave the contracting parties, which stands at 152 as of July 2019, the right to prevent and suppress acts of genocide.⁴² So far conventions, such as the Genocide Convention, have not proven to be fully effective, and breaches have been committed. An example of this is the genocide of the Tutsi in Rwanda during the Rwandan Civil War in 1994.⁴³ Future conventions and treaties etc. need to be specific about preventative measures. For

³⁶ International Atomic Energy Agency (IAEA) [Treaty on the Non-Proliferation of Nuclear Weapons](#) accessed 15.03.2022

³⁷ ICC [ICC](#) accessed 29.03.2022

³⁸ UN [António Guterres](#) accessed 29.03.2022

³⁹ UN [\(A/RES/3/260\)](#) accessed 29.03.2022

⁴⁰ UN [International Day of Commemoration](#) accessed 29.03.2022

⁴¹ UN [\(A/RES/60/1\)](#) accessed 29.03.2022

⁴² UN [Ratifications of the Genocide Convention](#) accessed 06.04.2022

⁴³ UN [António Guterres' remarks](#) accessed 06.04.2022

example, the punishment following atrocity crimes, such as economic restrictions, can halt violations. Any efforts will also have to be carried out, meaning that parties need to be fully committed to the articles.

Supporting organizations and the free flow of information

Organizations, such as the ICC and GCR2P, are constantly working to secure peace and justice in the international community. Organizations require increased support, for example, in the form of funding and resources. With further support, organizations can be more effective in their efforts in preventing atrocity crimes. These organizations are often the ones to do extensive research and spread information, which can be used by states and other organizations. The free flow of that information is important as many individuals that commit crimes may not be familiar with the law. For example, even if a soldier is commanded to commit an act that is considered a war crime, the soldier does not need to follow that order. That soldier might not recognize the act to be a war crime though if they have not been properly informed. One way of keeping information available to all is by having countries commit to resolutions which enable the free global flow of information.

Minimization of risk factors

The Framework of Analysis for Atrocity Crimes provides examples of risk factors and indicators for atrocity crimes. These, among other possible factors, need to be globally monitored and minimized as soon as they are recognized. Constantly ongoing and open dialogue is an effective way of minimizing polarization, tensions, and discrimination amongst groups. Truly understanding the risk factors and reasons behind committing atrocity crimes as well as encouraging coaction is vital. The Framework of Analysis for Atrocity Crimes includes highly specific risk factors and indicators that can be acted upon, such as the availability of firearms and state stability, which will improve overall global peace and security, not just in the context of atrocity crimes.

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