

## **The United Nations' Failure to Stop Genocide**

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*This paper examines the response of the United Nations (UN) to human rights violations and mass atrocity crimes in Rwanda, Kosovo, and China. It argues that the UN must choose between prioritizing humanitarian intervention and respecting national sovereignty, which fosters hesitation and insufficient action in the face of genocide. This is illustrated with historical cases from Rwanda and Kosovo, as well as in the ongoing genocide against Uyghurs in China. Ultimately, this paper aims to highlight the challenges and limitations that the UN encounters when responding to human rights crises.*

Following World War II, the United Nations adopted the Universal Declaration of Human Rights (UDHR) and the Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention) with the objective of preventing future atrocities like the Holocaust. Despite these important legal frameworks, political challenges make it difficult for the UN to take action to prevent or stop human rights violations – including mass atrocity crimes such as genocide. Some critics claim that the UN, particularly its Security Council (which is charged with ensuring international peace and security), has failed to uphold its duty to protect human rights because it is more concerned with respecting state sovereignty. Deference to national sovereignty makes the UN reluctant to intervene when governments are committing genocide.

Case studies from past and present illustrate this tension between rights protection and respect for state sovereignty. During the 1990s in Rwanda and Kosovo, the UN was forced to decide whether humanitarian intervention or upholding sovereignty was the priority. Research on the UN's involvement in Rwanda finds that the UN ignored evidence about the 1994 genocide, refused to intervene, and ultimately abandoned victims. Similarly, in the case of Kosovo, the UN Security Council decided not to intervene in the face of mass atrocities out of concern that doing so would breach national sovereignty. More recently, the UN has been criticized for taking too long to respond to China's treatment of

Uyghurs, a Muslim minority group facing severe persecution and possible genocide. These three cases highlight a pattern in how the UN responds to genocide, offering an idea of how the UN could respond to the unfolding Uyghur crisis in China today.

## **Rwanda**

I chose to examine Rwanda because it is a case of a UN member state directly facilitating genocide. Indeed, many human rights organizations had published warnings about the potential for impending genocide in Rwanda; the international community was fully aware of this threat yet did not intervene until July 1994 with an extremely limited response. When Tutsi-led rebel forces successfully overtook the genocidaires and were able to stop the genocide, the UN finally sent a force of 5,500 peacekeepers (Howland, 1999). Researchers concluded that the “one overriding failure which explains why the UN could not stop or prevent the genocide, was the lack of resources and a lack of will – a lack of will to take on the commitment necessary to prevent the genocide” (Winfield, 1999, para 4). Ultimately this case shows the international community’s prioritization of state interests over human rights norms.

The genocide was precipitated by the Rwandan civil war (1990 to 1994) and the assassination of Rwanda’s president. The war was fought between the Rwandan Armed Forces, representing the country’s government, and the rebel Rwandan Patriotic Front. Both parties agreed to end the civil war in 1993 by signing the UN-sponsored Arusha Accords, but the document failed to address the underlying causes of the violence and did little to pressure the Rwandan government into compliance (Howland, 1999). Meanwhile, the UN established the United Nations Mission for Rwanda (UNAMIR) to observe a ceasefire (Howland, 1999). However, Rwandan President Juvénal Habyarimana was assassinated when his plane was shot down on 6 April 1994 – an act that was blamed on rebels, though the culprits remain officially unknown. The killing was used as a pretext to launch a genocide against Rwanda’s Tutsi ethnic minority. (The largest ethnic groups in Rwanda are the Hutus, which make up about 85 percent of Rwanda’s population, and the Tutsis, which are 14 percent.) An interim government was formed under Colonel Theoneste Bagosora, who coordinated the killing of Tutsi civilians with imported machetes and guns. The military under Bagosora’s command assassinated all political opponents of the Hutu extremists, including the prime minister and moderate government officials, before the genocide began (Britannica, 2023b).

The 1994 Rwandan genocide was marked by dehumanization, with Tutsis posited as enemies who would kill their Hutu enemies if not stopped first. For example, newspapers and radio stations

called the Tutsi “cockroaches” who should be killed without mercy (White, 2009). Death squads were formed to exact group punishment on entire villages, calling Tutsis “immigrants or Ethiopians who were enslavers of Hutus, stealers of land, and killers with no need for justification of their action for murdering Hutus” (White, 2009, p. 476). To stress the need for urgent action, the military employed a “first strike policy” – those with the shared goal of eliminating Tutsis had to attack together quickly and without mercy before the Tutsis could organize themselves and stop the massacres (White, 2009). More than 800,000 Tutsis died in a period of about 100 days, with the killers coming from within the Rwandan military as well as civilian society. Tutsis in hiding were mercilessly hunted and killed, with pervasive torture and sexual violence aimed at all members of Tutsi society – including children. “The death rate in Rwanda accumulated at nearly three times the rate of the Jewish dead during the Holocaust. It was the most efficient killing since the atomic bombings of Hiroshima and Nagasaki” (SURF Survivors Fund, n.d.).

The international community’s response to the 1994 Rwandan genocide was largely driven by self-interest. The day after the Rwandan president was assassinated, for instance, the U.S. ordered all American citizens to be evacuated from Rwanda. (Notably, the United States is a permanent member of the UN Security Council.) The U.S. diplomat, Prudence Bushnell, argued that “when we evacuate, we leave our poor national colleagues behind. It is not something I apologize for...you try your best to take care of them in terms of maintaining some kind of contact, in terms of keeping salary and benefits up. But when a situation becomes dangerous, we look after our own (quoted in Grünfeld & Huijboom, 2007, p. 172). Obstacles the UN encountered that “prevented” them from acting were caused by receiving “bad information, self-interest of powerful countries, and media spin all contributed to the confusion” (Howland, 1999, p. 13). Romeo Dallaire, the commander of the UNAMIR peacekeeping force, reported political killings to the UN, but they were labeled as politicide rather than genocide.

The UN prohibited UNAMIR from using force, even to protect government ministers (Grünfeld & Huijboom, 2007). Ten Belgian peacekeepers were killed in hopes that killing foreigners would prompt the UN to withdraw peacekeepers; the assumption was that the lives of Tutsi civilians would be less important than the peacekeepers. Their assumption was proven correct when the international community refused to intervene (Grünfeld & Huijboom, 2007). “During the period of evacuation, there were in total 1,700 well equipped and trained troops available in the region,” write Fred Grünfeld and Anke Huijboom (2007). “If these troops were added to the 2,500 UNAMIR soldiers there would have been more survivors” (p. 177). The UN’s unwillingness to intervene in Rwanda contributed to the genocide’s devastation, signaling a failure by the broader international community to prioritize human rights over respecting state sovereignty.

## **Kosovo**

Conflict in Kosovo continued a troubling 1990s trend of state-sponsored genocide and other mass atrocity crimes and highlights again the UN's hesitancy to breach state sovereignty – even to stop ethnic cleansing. Political tensions arose, in part, because Serbs felt threatened as the population of Albanians grew in the country. The fundamental disagreement stemmed from the desire of the Serbs to abolish Kosovo autonomy on one hand, and Albanians' desire for Kosovo to be an independent state on the other. Yugoslavian President Slobodan Milosevic seized political control in 1998 and forcibly ended Kosovo's autonomy. The Kosovo Liberation Army (KLA) was formed by ethnic Albanians in response and aimed to secede. The result was Serbian forces ethnically cleansing Kosovo Albanians to maintain political power in Kosovo (Bieber & Daskalovski, 2003; see also Britannica, 2023a).

Limited international responses in the early stages of the conflict served to exacerbate human rights violations against civilians. The United States, for instance, had expressed concern regarding civilians caught in the crossfire between Serbian forces such as the FRY (a combination of Serb police and militias) and the KLA. In response, the North Atlantic Treaty Organization (NATO) launched airstrikes against Serbian forces on March 24, 1999, because they “were moving from village to village, shelling civilians, and torching their houses” (Bieber & Daskalovski, 2003, p. 62). The objective was to deter Serbian forces from attacking Kosovo Albanians in the future, but instead it provoked a wider Serbian offensive against ethnic Albanians (Bieber & Daskalovski, 2003). This led to massive systemic ethnic cleansing and forced expulsions of Albanians. Serb forces then systematically burned and looted villages, homes, and religious sites of Kosovar Albanians, and girls and women were brutally raped while being held captive by soldiers. Kosovo Albanians were also stripped of all forms of identification so that should they decide to return to Kosovo, they would have no means to prove their nationality (Bieber & Daskalovski, 2003).

Mass atrocities in Kosovo highlighted the UN's hesitancy to breach state sovereignty to uphold human rights norms. The UN Security Council passed Resolution 1160 on March 31, 1999, condemning the excessive force used by Serbian police against ethnic Albanian civilians and acts of terrorism by the KLA. It also imposed an arms embargo on Yugoslavia (Walling, 2014). Although there was no dissent to the resolution, there was still heavy disagreement over whether to intervene militarily. States who supported intervention claimed that by killing and forcibly expelling ethnic Albanians, Serbia had violated its obligations as a sovereign state (Walling, 2014). Those opposed to humanitarian intervention contended that Serbia had the sovereign right to minimize threats to its authority (Walling, 2014). The Security Council was unable to act since there was no agreement on whether to launch a humanitarian

intervention. When the UN finally established the United Nations Mission in Kosovo (United Nations Interim Administration Mission in Kosovo, or UNMIK) in 1999, the fighting between Serbian security forces and Albanian rebel groups had ended; UNMIK was mandated to help the government with capacity-building, rather than stopping human rights abuses. In Kosovo, the question of whether state sovereignty could become invalidated in the face of mass atrocities was never addressed (Roseberry, 2013).

## **China**

China's treatment of Uyghurs, a predominantly Muslim ethnic minority group, highlights how the UN continues to turn a blind eye to genocide – especially when perpetrated by a powerful member state. The Chinese government has long discriminated against the Uyghurs, preventing their home region of Xinjiang from becoming independent because of its natural resources and crucial role in the Silk Road economic belt. Uyghur political protests in the 1990s resulted in violent clashes with Chinese police forces and massive security crackdowns to silence dissidents. Today, the region is heavily policed with security checkpoints, license plate scanning, and facial recognition technology to surveil the Uyghur population (BBC News, 2022). A growing number of scholars and advocates argue that anti-Uyghur discrimination has reached the level of genocide. The United States Holocaust Memorial Museum (n.d.), for instance, warns that this high-risk situation includes identity-based persecution, mass detention, surveillance, enforced sterilizations, forced labor, and forced assimilation.

In 2017, the international community learned that “re-education” camps had been built in Xinjiang to imprison thousands of Uyghurs without trial. First-hand accounts from inside the camps detail mass rape, sexual abuse, forced sterilization, and torture as part of the organized camp system (Emtseva, 2021). More than million Uyghurs have been arbitrarily detained and taken to camps for lawful conduct such as praying, having family overseas, and using social media (see Amnesty International, 2021). While the Chinese government claims that these camps are meant to counter terrorism, a recent UN report outlines proof of possible crimes against humanity such as torture, inhumane treatment, poor living conditions, forced medical treatments, and sexual and gender-based violence. The UN recommended releasing arbitrarily detained civilians and contacting their families, emphasizing that these “re-education” camps are deeply problematic but do not resemble the concentration camps used during the Holocaust of World War II (United Nations Human Rights, 2022).

After the publication of the UN report, the United States and nine other UN member states called for debate at the UN Human Rights Council. However, the debate was never held because the

majority of UN members opposed it, and several others chose to abstain from voting on a resolution that would make the debate possible (Cumming-Bruce, 2022). The China Director of Human Rights Watch, Sophie Richardson, stated that the vote was “an abdication of responsibility and a betrayal of Uyghur victims” (quoted in Cumming-Bruce, 2022, para 12). Several other human rights organizations firmly agreed with this assertion, particularly advocacy groups of Uyghurs living abroad who saw the vote as another example of the UN failing to stand up against human rights abuses. China, meanwhile, has criticized negative reactions to their policies as “Western political manipulation of United Nations human rights bodies to smear China’s reputation and interfere in its internal affairs” (Cumming-Bruce, 2022, para 6). These remarks likely resonated with other UN members who fear they will be the next to be targeted, including Muslim countries like Qatar, Pakistan, and Indonesia (all of which voted against the debate even though China was charged with abusing human rights of a Muslim population; Cumming-Bruce, 2022). The opposing vote from these Muslim countries demonstrates how UN members are willing to overlook human atrocities if the UN does not interfere with their sovereignty.

## **Conclusion**

The UN demonstrated in Rwanda and Kosovo, and is now doing so in China, that it is hesitant to sanction humanitarian intervention to stop mass atrocities such as genocide. This pattern is largely due to the UN’s fear of infringing on state sovereignty. In earlier cases of genocide elsewhere, the UN had reluctantly authorized humanitarian intervention either because there was no legitimate government or because sovereignty had been temporarily suspended. (Notably, in 1994 there was no Security Council consensus on the acceptance of humanitarian intervention as a response to human rights violations; Walling, 2015.) In Rwanda, individual member states such as the United States and the UN itself prioritized their own soldiers/peacekeepers over civilian lives. Tutsi forces, not an international intervention, was what finally ended the 1994 genocide. In Kosovo, the NATO alliance that attacked Serbian forces with the intention to stop the human rights abuses against Albanians made matters worse and spurred ethnic cleansing. The UN disapproved of NATO’s action but delayed its own intervention until after many avoidable civilian deaths.

While there seems to have been some progress on how the international community has responded to genocide since the 1990s, obstacles continue to delay responses and allow atrocities to continue. One example of this progress is the establishment of the Responsibility to Protect in 2005, an international norm which ties national sovereignty to upholding the rights of citizens and empowers UN member states to intervene to prevent or stop mass atrocities (see Global Centre for the Responsibility

to Protect, n.d.). However, there are still barriers that impede action and let crimes go unpunished, the most important among them being the fear of violating state sovereignty. Despite growing proof of atrocities committed by the Chinese government, UN member states have failed to vote for a resolution that would allow the UN Human Rights Council to debate and potentially acknowledge that wrongs are occurring. According to Daniel R. Russel, who was the Assistant Secretary of State for East Asian and Pacific Affairs for the Obama Administration, “many governments are looking the other way and self-censoring on the issue of Xinjiang [because] few countries are willing to put the economic benefits of good relations with China at risk — let alone find themselves on the receiving end of Chinese retaliation” (quoted in Kulenova, 2019, para 12). China’s permanent seat on the UN Security Council means it has veto power over any UN intervention to prevent genocide; their holding this position while oppressing Uyghurs in “re-education” camps weakens the authority and legitimacy of the Council. China will likely continue to ignore the recommendations outlined in the recent UN report, and its position on the Security Council – combined with many UN members having economic ties with the China – makes UN intervention an impossibility, perpetuating the ongoing humanitarian crisis.

To conclude, the United Nations is an international organization built on the sometimes-conflicting norms of state sovereignty and universal human rights. When faced with mass atrocities such as genocide and ethnic cleansing, I believe the UN must prioritize human rights over protecting the sovereignty of perpetrator governments. The international community has a responsibility to learn of and speak the truth, to make every possible effort to prevent or stop atrocities, and to hold states accountable for their breach of international human rights law. The victims of human rights abuses are often unable to speak for themselves, and the UN cannot maintain its legitimacy while protecting governments that commit genocide by using the right of state sovereignty as justification for its inaction.

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