

UNIVERZITA PALACKÉHO V OLOMOUCI

Filozofická fakulta

Katedra politologie a evropských studií

diplomirani politolog Adis Šaranović

**Genocide in the end of the 20th century: The same methods different
victims and executioners**

**Cases of Rwanda and Bosnia's genocide through the Eight Stages of Genocide
Theory**

Diplomová práce

Vedoucí diplomové práce: Mgr. Markéta Židková M.A.

OLOMOUC, březen 2010

Prohlašuji, že jsem tuto diplomovou práci vypracoval samostatně na základě uvedených pramenů a literatury.

V Olomouci dne 31. Března 2010

ABSTRACT

The main aim of this Master of Art thesis is to familiarize the reader with the issue of genocide through the recognition of its phases. The author believes that genocide can be predicted by detection of the characteristic elements that precede it. In this paper the author wants to open the question of genocide and to make it better understood. By carefully tracking developments in certain areas, particularly those which have constantly presented antagonisms of political entities or ethnic groups, it is possible to recognize in which direction possible conflicts will go and forestall the serious crime, genocide. Therefore we can say that the main goal of this thesis is to apply the theory of the *Eight Stages of Genocide* and to confirm that this theory can be projected to any genocide.

KEY WORDS

Genocide, Eight Stage of Genocide, Rwanda, Bosnia and Herzegovina, Hutu, Tutsi, Bosniaks, Serbs, ethnic conflicts, propaganda, dehumanization, denial, crime tribunal, criminal, punishment

ABSTRAKT

Hlavním cílem této diplomové práce je seznámit čtenáře s problematikou genocidy prostřednictvím jejích fází. Autor se domnívá, že genocida může být předvídána díky rozpoznání charakteristických znaků, které jí předcházejí. V této práci chce autor otevřít problematiku genocidy a napomoci jejímu lepšímu porozumění. Díky pečlivému zaznamenání vývoje v určitých oblastech, především v těch, které trvale prezentovaly antagonismus politických entit či etnických skupin, je možné určit, jakým směrem se daný konflikt bude ubírat a zabránit tak vážnému zločinu, genocidě. Tudíž můžeme říci, že primárním cílem této práce bylo aplikovat teorii Osmi stádií genocidy a prokázat, že tato teorie může být promítnuta na jakoukoliv genocidu.

KLÍČOVÁ SLOVA

Genocida, Osm stádií genocidy, Rwanda, Bosna a Hercegovina, Hutu, Tutsi, Bosňáci, Srbové, etnické konflikty, propaganda, dehumanizace, popírání, válečný tribunál, zločinci, trest.

ANNOTATION

Written by diplomirani politolog Adis Šaranović
Submitted at
Department of Politics and European
Studies Philosophical Faculty
Palacky University, Olomouc, Czech
Republic

Entitled Genocide in the end of the 20th century:

The same methods different victims and
executioners. Cases of Rwanda and
Bosnia's genocide through the Eight
Stages of Genocide Theory.and

Supervised by Mgr. Markéta Židková M.A.

Language English
Word count 25 954
Character count 139 280
Works cited 102

ANOTACE

Napsal: diplomirani politolog Adis Šaranović
Pracoviště: Katedra politologie a evropských studií
Filozofická fakulta Univerzita Palackého v
Olomouci, Česká republika

Název práce Genocida na konci 20. století: Stejně
metody, jiné oběti a exekutoři.

Vedení práce Mgr. Markéta Židková M.A.

Jazyk angličtina
Počet slov 25 954
Počet znaků 139 280
Počet citací 102

List of used shortened

AEU - The witness -- identified only as "AEU"

ARK - Autonomous region Krajina

BiH – Bosnia and Herzegovina

BH – Bosnian and Herzegovinian

EsoG – Eight Stage of Genocide

HDZ - Hrvatska Demokratska Zajednica

ID or ID card - Identification Card

ICTR – International Crime Tribunal for Rwanda

ICTY - International Crime Tribunal for ex Yugoslavia

JCE - Joint Criminal Enterprise

NGO - Non Government Organization

RS – Republic of Srbska

RPF - Rwandan Patriotic Front

RTML - Radio Television Libre Milles Collines

SDA – Stranka Demokratske Akcije

SDS – Srpska Demokratska Stranka

SFR Yugoslavia - Socialistic Republic of Yugoslavia

SRBiH – Socialistic Republic Bosnia and Herzegovina

VRS - The Army of Republic of Srbska

UN – The United Nations

FRY or FR Yugoslavia – Federal Republic of Yugoslavia

WWI – World War I

Content

Foreword	9
Introduction.....	12
1. Theoretical Framework.....	20
1.1. Methodology of research	25
1.2. The Phenomenon of Genocide.....	26
1.3. The Genocide Convention.....	27
1.4 The Genocide Convention and International Crime Tribunals for Rwanda and Bosnia	29
1.5. The key terms of genocide convection and the ESoG Theory	32
2. The first stages of the ESoG theory: Classification.....	35
2.1. Us versus them	35
2.2. Bosnia and Herzegovina “the Balkanian Switzerland”	36
2.3. Rwanda the “Land of a Thousand Hills”	44
3. The second stage of EsoG theory: Symbolization.....	48
3.1. Administrative “symbolization” through ID cards or given names.....	48
4. The third stage of EsoG theory: Dehumanization - This stage is where the death spiral of genocide begins	52
4. 1. Bosnian “Balijs” and Rwanda’s “Cockroaches”	53
5. The fourth stage of the EsoG theory: Organization	57

6. The fifth stage of the EsoG theory: Polarization - If you are not with us, you are against us	62
7. The sixth stage of the EsoG theory: Preparation	65
8. The seventh stage of the EsoG theory: Examination.....	70
9. The eighth stage of the EsoG theory: Denial – never happened ..	73
Conclusion.....	76
Bibliography.....	81
Annex	93

Foreword

At the beginning of the summer semester 2008, I got the task to write a presentation about the conflict in Rwanda. I did not know a lot about this small, by African standards, country. I was aware of the basic fact that genocide was committed there. This fact was primarily known because the time coincided with the war in my country, Bosnia and Herzegovina. By reading materials for the presentation, the door to Rwanda's hell started to open for me together with images of horror that the people of Rwanda had survived.

I have been trying to understand the term genocide. I visited Auschwitz but that visit did not contribute to a full understanding. Even more, it complicated and aroused in me the desire to understand and realize how is it possible to organize, cover and conceal such a vast and bloody thing as genocide.

Wars have always been an inspiration for artists and their work, that was a case of the Academy awarded Bosnian movie *No Man's Land*, directed by Danis Tanović: On a foggy morning, military instalments somewhere deep inside Bosnia, with an apparent truce at the frontline, two soldiers were keeping watch. One of them is reading newspapers, with the radio on. "Hey man, such bulls**t in Rwanda", commenting on a newspaper article.¹

These words bring a smile to your face because in the whirlwind of war that a soldier noticed war and disaster in this unknown, faraway land. Perhaps it can only express the enormity of the disaster which dazzled soldiers thousands of miles away. There is a similar story with the famous

¹Description of the movie scene: *No Man's Land* (Bosnian origin *Ničija zemlja*) is a movie about the absurdity of war in Bosnia. It is an ironic black comedy war drama filmed in 2001 by director and writer Danis Tanović. The movie won an Oscar, 24 other awards and 14 nominations. TANOVIĆ, Danis (dir.): *No Man's Land* (Bosnian origin *Ničija zemlja*). Film. 2001.

movie, "Hotel Rwanda," directed by American director Terry George.² The movie starts with a scene set early in the morning in Kigali and the news on the radio informing listeners about another massacre in Sarajevo. This beginning insinuated or indicated that the evil that happened to a population in civilized and rich Europe would happen there, in poor Rwanda. But it would be stronger, harsher and deeper.

I was fascinated by *Hotel Rwanda's* incredible story about a common man affected by a storm of violence. "Common," because he did not want or support the war, yet he was sucked into it. He could not do anything to prevent or stop it. It is the feeling of hopelessness that was fascinating to me because I, myself, lived through the same feeling I, too, was not able to prevent, or stop the war in Bosnia and Herzegovina, a war I did not want or support.

In front of you is a master's thesis, in which one chapter talks about the denial of genocide. This is really interesting to me, because even if I was not witness to the murders, a soldier in the battlefield, or a politically active individual, I was directly accused of being partly responsible for the war. Even if I was at home, with my family praying that everything would soon finish and we would all survive, my guilt would come afterwards, as one former soldier from the war informed me. He said there are no innocents at all and that I, sitting at home, had chosen and supported one of the sides. Is that reason enough to be accused?!

Facing the fatal facts from Rwanda and generally confirmed facts that I had already known about events in Bosnia and Herzegovina, I decided to dedicate my thesis to the genocide which took place in numerous nations in the world and which resulted from the wars of the twentieth century.

²Description of the movie scene *Hotel Rwanda* the historic, drama-thriller nominated for 3 Oscars, another 12 awards and 29 nominations. "A true story of a man who fought impossible odds to save everyone he could and created a place where hope survived." GEORG, Terry (dir.): *Hotel Rwanda*. Film. 2005. In: The Internet Movie Database, <http://www.imdb.com/title/tt0395169/>

From now the thesis will continue in a clear, neutral tone. It is going to be set by academically verified facts, serious research of renowned writers, reports of international organizations and archival materials of the international courts.

Introduction

After the extreme destruction of World War I (WWI), when some conflicts of the war turned into a war against civilians or were misused to achieve nationalistic goals,³ the world tried, at the international level, to establish a functional mechanism of control of state behaviour in wars. The League of Nations, established after WWI, failed to respond to certain challenges. As an organization they were supposed to preserve the peace, be a mediator of peaceful settlements of international disputes and organize international cooperation in the interest of the welfare of humanity.⁴ The world once again sunk into an even bloodier conflict with a more clear purpose of eliminating civilians.⁵ Faced with such a huge tragedy the world has united again and jointly accepted the Genocide Convention within the new organisation of the United Nations (UN). The UN has decided to prevent and punish genocide at a world level as a

³*"In April 1915 the Ottoman government embarked upon the systematic decimation of its civilian Armenian population. The persecutions continued with varying intensity until 1923 when the Ottoman Empire ceased to exist and was replaced by the Republic of Turkey. The Armenian population of the Ottoman state was reported at about two million in 1915. An estimated one million had perished by 1918, while hundreds of thousands had become homeless and stateless refugees. By 1923 virtually the entire Armenian population of Anatolian Turkey had disappeared."* ADALIAN, Rouben Paul: *Armenian Genocide*. not dated. In: Armenian National Institute, <http://www.armenian-genocide.org/genocide.html>, not paged.

⁴One of the evidence is for example the Bernheim Petition, *"Petition presented to the League of Nations in May 1933 in an effort to protest Nazi anti-Jewish legislation. Soon after Hitler's rise to power, Jews outside Germany began looking for ways to protect the civil rights of German Jews. In May, a group of Jews turned to the League of Nations. In their appeal, they cited the German-Polish Geneva Convention of 1922, under which the two countries agreed to protect the civil rights of minorities in Upper Silesia and named the League of Nations as judge if anyone felt the treaty was being violated (...) The League soon affirmed the complaint's validity, and ruled that Germany should stop discriminating against Jews (...) Germany announced that all anti-Jewish laws in Upper Silesia had been cancelled (...) However, after the expiration date, Germany and Poland excluded the League of Nations from making any decisions regarding Upper Silesia, and the Germans began to systematically strip the Jews there of their civil rights"*.

Bernheim Petition. not dated. In: Yad Vashem, SHOAH Resource Center, http://www1.yadvashem.org.il/odot_pdf/Microsoft%20Word%20-%206006.pdf, not paged.

⁵References to a Holocaust, the Holocaust from 1938 – 1945 ended with six million deaths. It began with a simple boycott of Jewish shops and ended in the gas chambers at Auschwitz as Adolf Hitler and his Nazi followers attempted to exterminate the entire Jewish population of Europe. *Genocide in the 20th Century*. 2000. In: The History Place, <http://www.historyplace.com/worldhistory/genocide/holocaust.htm>, not paged.

crime against humanity.⁶ The world first saw these punishments and prosecution processes for hard crimes under civilians and genocide, during the Nurnberg process against the highest leaders of the German Nazis⁷ and in the Tokyo trials against Japanese war criminals.⁸

However, crimes against humanity, including the most serious form, genocide, have constantly been repeated in the world.⁹ Just two of these crimes from the end of twentieth century, the genocide against the Tutsi people in Rwanda and against Bosniaks in Bosnia and Herzegovina will be examined in this paper in which the author will try to connect them through the “Eight Stages of Genocide” theory (ESoG).¹⁰

The main motive of this work is to familiarize the reader with the issue of genocide through the recognition of its phases. The author believes that genocide can be predicted by detection of the characteristic elements that

⁶The Genocide Convention was adopted by the United Nations General Assembly on 9 December 1948. The Convention entered into force on 12 January 1951. More than 130 nations have ratified the Genocide Convention and over 70 nations have made provisions for the punishment of genocide in domestic criminal law. The text of Article II of the Genocide Convention was included as a crime in Article 6 of the 1998 Rome Statute of the International Criminal Court. QUIGLEY, John B.: *The Genocide Convention: an International Law Analysis*. Burlington, Ashgate Publishing Company 1998, pp. 7. For the original document see *Convention on the Prevention and Punishment of the Crime of Genocide*. 12 January 1951. In: The United Nations, <http://www.un-documents.net/cppcg.htm>

⁷The Nuremberg process is the name of the trials in which German Nazis were prosecuted and was organized by the allies at the end of World War II. The trials were held in the city of Nuremberg, Germany, from 1945 to 1946, at the Palace of Justice. For more information see BERNÁŠEK, Michal: *Válka a váleční zločinci*. Část I. 3 July 2000. In: Juristic Society, <http://mpv.juristic.cz/30402/clanek>, not paged.

⁸The Tokyo process is the name of the trials of Japanese war criminals which were held in front of the International Military Tribunal for the Far East (IMTFE). The Tokyo War Crimes Tribunal was convened on May 3, 1946. *British Military & Criminal History in the period 1900 to 1999*. not dated. In: Stephen's Study Room, <http://www.stephen-stratford.co.uk/imtfe.htm>

⁹For an overview of genocide acts in the world from 1945 – 1999, such as Bangladesh 1971, East Timor 1975-1999, Cambodia 1975-1979, Darfur Sudan act see LAMB, Scott: *Genocide since 1945. Never Again?* Der Spiegel, 26 January 2005, <http://www.spiegel.de/international/0,1518,338612,00.html>

¹⁰See STANTON, Gregory H.: *The 8 Stage of Genocide*. 1998. In: The Genocide Watch, <http://www.genocidewatch.org/aboutgenocide/8stagesofgenocide.html>. More about this theory will be presented in chapter 1 of this paper.

precede it. In this paper the author wants to open the question of genocide and to make it better understood because we never know where it will happen and who may be the next victim.¹¹ By carefully tracking developments in certain areas, particularly those which have constantly presented antagonisms of political entities or ethnic groups, it is possible to recognize in which direction possible conflicts will go and forestall the serious crime, genocide.

Given that the paper will deal with two separate crimes of genocide which took place on two different continents, the author will find common points in those events through the unique theory about the eight stages of genocide. However, the work will not be divided into two separate units, but be treated as two separate events that have much in common. They will overlap each other over a common theory and analysis, which will be performed in eight chapters of this work, connecting them together. Eight of nine chapters will address one of the stages of the genocide theory in both countries.

Therefore we can say that the first and primary goal of this work is to apply the theory of the *Eight Stages of Genocide* and that this theory can be projected to genocides happening in small areas, with a small number of victims, as well as in larger areas, with a larger number of victims. At the same time, as a secondary goal, which comes more as a conclusion to the whole work, is the author's intent to confirm that genocide cannot and should not be closely observed. This means that it physically occurred only in a limited area, but would try to prove that its culmination was at the narrow territory. Genocide's consequences are felt in a wider sense, not being limited to a geographical area. Even the genocide of European Jews is not limited to the actual execution areas, such as the concentration camps of Auschwitz-Birkenau or Treblinka, but in the whole territory that was occupied and controlled by the Nazis. Regarding that, the author

¹¹*We never know from where refugees came.* one of the UNHCR slogans in an awareness campaign.

would try to point out that genocide in Bosnia and Herzegovina, legally confirmed at Srebrenica municipality only,¹² had happened and had affected all Bosnia and Herzegovina. The fact that most victims of Srebrenica's genocide were not inhabitants of the town of Srebrenica, but refugees of eastern Bosnia is proof of this.¹³

Starting from the fact that the international courts in the cases of Rwanda and Bosnia and Herzegovina (BiH) have proven acts of genocide in a number of cases and verdicts, in this paper the author will observe both cases of genocide through a common theory and in this context will try to find common elements which confirm the accuracy and applicability of the "ESoG" theory. From that direction derives the hypothesis that states that *genocide, from preparation to implementation, and all related activities are the same in each case and do not depend on the number of victims or size of the territory where genocide happens because the goal of genocide is always the same, the elimination of "the different"*.

The Genocide Convention is agreed upon at the level of the UN but as any document, especially a political one, is subject to broader interpretations and implementations. Particularly from the perspective of legal and judicial practices, but at the same time the Genocide Convention is an excellent source and motive for the development of theories and

¹²"(...)The Court turns to the massacre at Srebrenica and carefully examines the evidence regarding that event, including the fact that the ICTY found in the Krstić and Blagojević cases that Bosnian Serb forces killed over 7,000 Bosnian Muslim men following the takeover of Srebrenica in July 1995. The Court concludes that both killings and acts causing serious bodily or mental harm occurred. The Court finds that the Main Staff of the VRS (the army of the Republika Srpska) had the necessary specific intent to destroy in part the group of Bosnian Muslims (specifically the Bosnian Muslims of Srebrenica) and that accordingly acts of genocide were committed by the VRS in or around Srebrenica from about 13 July 1995 (...)"Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro). 26 February 2007. In: The International Court of Justice, <http://www.icj-cij.org/docket/index.php?pr=1897&code=bhy&p1=3&p3=6&case=91&k=f4>

¹³The town of Srebrenica had, based on the last census before the genocide, 5736 inhabitants. Considering the fact that the massacre had been the reason for over more than 8,000 adult men to be killed and 30,000 Bosniaks to be forcibly expelled, it is clear that not all were residents of the city. Based on the identity data of victims, it can be seen that most of them were refugees from the region of eastern Bosnia. See *BiH Census 1991*. In: Federalni zavod za statistiku, <http://www.fzs.ba/Podaci/nacion%20po%20mjesnim.pdf>

scientific/scholarly texts dealing with the phenomenon of war crimes and crimes against the civilian population as a primary goal of war. As one of the scientific theories, which arises from the convention on the prevention and punishment of genocide is the “Eight Stages of Genocide” theory. This theory is used by the author of this thesis as a basic theoretical framework from which arises analysis and proof of his hypothesis.

Genocide as a subject can be found in a wide range of literature. At the beginning of this analysis, as the author I can confirm that, generally speaking, it is not a problem to find literature that deals with the phenomenon of genocide or attempts to explain and interpret it.

The phenomenon of genocide, in general, is treated the same by international authors as well as by local authors from Rwanda and Bosnia and Herzegovina. As the author of this thesis, I found that the general description and interpretation of genocide by local authors is the same. But after a closer look, differences tend to appear. These differences came primarily from texts written by authors from areas where actual genocide occurred. These authors, from a contextual point of view, try to explain events that have been characterized as genocide. But, in these pieces of literature, they have found moments which either gave another dimension to genocide denying the actual events leading up to genocide or gave it another definition (i.e.mass murder, crime against humanity, etc.) based on events which preceded the execution of people. On the other hand, other authors from the same areas come with an opposite point of view. These authors have found evidence in their analysis that confirmed, without any doubt, acts of genocide in Rwanda and Bosnia actually occurred.

Genocide as a phenomenon is difficult to prove, which can be seen from cases in international criminal trials and prosecutions. As the aim of this thesis is not to confirm or deny the existence of genocide in these two countries, the literature written by local authors was used with great care

and mostly as reference points. Priority was given to analysts and sources coming from neutral areas who, regarding the events in Bosnia and Rwanda, were observing these events from a distance through the analysis of the Genocide Convention or findings of the international tribunals. During the International Panel organized by African Unity, Caplan Gerald presented his analyze mostly based on courts findings, opinions and investigations and came to the interesting conclusion that genocide in Rwanda could be preventable. This is the title of his work, *Rwanda the Preventable Genocide*.

This work is based primarily on the theory of ESoG and uses several articles and analysis in which this theory is used as well the actual text of the theory. In his *The Terrorist Conjunction: the United States, the Israeli-Palestinian Conflict and Al- Qaida*, author Gerteiny uses the EsoG theory to prove genocide, because this theory as it is generally applicable. Based on this theory author Mukumbiri Jean writes about *The Seven Stages of the Rwandan Genocide*. The EsoG was main inspiration for development a new theoretical view. To prove this hypothesis, the author also relied on many primary sources to find the most neutral sources which were not politically influenced or with military objectives. He used literature written by witnesses of events in Bosnia and Rwanda, by the staff of international organizations stationed in those countries or NGO activists who were working in those regions at the time. To understand what Rwandan genocide is and to face with practical meaning of theoretical knowledge of genocide helps *Shake Hands with the Devil*, written by Dallaire Romeo, Canadian Officer who worked for the UN peace keeping mission in Rwanda. As eyewitness, Dallaire presented all reconstruction of genocide with powerful stile. The similar testimony comes from Honig and Both and their book, *Srebrenica, Record of a War Crime*. Both authors have been part of the main UN negotiator – Lord Owen team and obviously had an opportunity to gather and analyse such a big number of documents, as well as to observe situation in the field from the bird perspective and from

the angle of the policy which might have been too high as a point of observation. This especially refers to the UN policy of non-interference or being slow in admitting that the situation in the field requires full and active presence. In their book, authors present documented facts of all parties to conflict, enabling reader to make his/her own conclusions. Most of those facts are crystal clear and leave no doubt as far as depth and size of the crime which was committed towards people of Eastern Bosnia. It also implies desperate in which civil society in Srebrenica found itself. The 1993 Pulitzer Prize Winner, Roy Gutman as a *A Witness to Genocide* in the same named book, pointed out problems of so call "ethnic cleansing" which is nothing else than covered genocide.

This type of thesis would not be possible to write without court verdicts as primary sources which, with clear and clean language, provide indisputable facts necessary for the development of the case studies analysis. *Appeals Chamber Judgement in the Case the prosecutor v. Radislav Krstic* from ICTY or in *Rwanda International Criminal Tribunal Pronounces Guilty Verdict in Historic Genocide Trial* from ICTR. Useful information analyze gives Gary Bass in *Stay the Hand of Vengeance – the Politics of War Crimes Tribunals*.

Further reading is necessary in order to understand the functioning of societies in BiH and Rwanda because genocide has its foundation from divisions in society. I would like to recommend well written historical documents, that as the author I used as secondary sources. These documents deal with the ethnic problems of Rwanda and Bosnia, as well as with the origin of their people, differences and divisions. So in *Collapse: How Societies Choose to Fail or Succeed* Diamond Jared authors clearly describe how situations led to an artificial division in Rwanda. How religion served as a basis for the formation and development of a nation and at the same time was used for the denial of national identity explains Francine Friedman in *The Bosnian Muslims: Denial of a Nation* and Richard Frucht in *Eastern Europe: an Introduction to the People, Land, and Culture*.

Readers can learn. Interesting comparative analyze from geographic aspects that provides a wealth of information is Wood's *Geographic Aspects of Genocide: A Comparison of Bosnia and Rwanda*.

Special attention is paid to the authors, who, through the theory of EsoG, analyzed genocide and whose methodology of work is similar to the methodology of this thesis. These authors, with their professional and scientific approach, contributed to a better understanding of genocide as well as confirming of the hypothesis of this paper.

1. Theoretical Framework

The Genocide Convention is a politically agreed upon document from which some national laws on the prevention and punishment of genocide are derived, but there is no unique international legal system which can be uniformly applied to all countries, so the Genocide Convention can be or is partially or selectively applied. Finally, there is no permanent or authorized world authority which would be a main arbitrator in judgment if genocide happens somewhere.¹⁴ All those decisions are made ad hoc and they are issued by either ad hoc tribunals¹⁵ or as a matter of bilateral relations between countries.¹⁶ The author intends to give a unique view on genocide. In order to do that has chosen the given theory which describes genocide as a general phenomenon leaving out local interest or the influence of actual/current political relations that govern the world, therefore not pointing any fingers. The author believes that it is a suitable theory which is accepted by several authors from political, legal, historical or the humanitarian field of writing. In the continuation of the introduction, the author will devolve details of the theory and its framework.

¹⁴*"The International Criminal Court (ICC), governed by the Rome Statute, is the first permanent, treaty based, international criminal court established to help end impunity for the perpetrators of the most serious crimes of concern to the international community."* See *About the Court*. not dated. In: The International Criminal Court, <http://www.icc-cpi.int/Menus/ICC/About+the+Court/>. There is an attempt to establish international crime court but a number of states, including China, India, Russia and the United States, are critical of the court and have not joined. As of October 2009, 110 states are members of the Court and a further 38 countries have signed but not ratified the Rome Statute.

¹⁵For a detailed explanation about tribunal see chapter below.

¹⁶For example: the issue of Armenian genocide which is not recognized by Turkey but twenty other countries do as well as several international organizations.

"The president reiterates that his views on the Armenian genocide in Ottoman times have not changed, but doesn't use the term as he focuses on helping normalize Turkey's ties with Armenia."

PARSONS, Christi – KING, Laura: *Obama Avoids Saying "Genocide" while in Turkey*. The Los Angeles Times, 7 April 2009, <http://articles.latimes.com/2009/apr/07/world/fg-obama-armenia7>

American sociologist Dr. Gregory H. Stanton, professor of Human Rights at the University of Mary Washington and president of the "Genocide Watch" organization,¹⁷ dedicated a huge part of his scientific work to the phenomenon of genocide. Stanton has found "the depth and weight" that genocide brings with it so he has begun to work actively in the world to make genocide more understandable, recognizable and above all, to preventable.

After being shot by Ku Klux Klan members during a fight for human rights and standing in the path of tank a during a demonstration in Ukraine, Mr. Stanton dedicated his work to traditional values such as freedom, for example. As a member of the humanitarian organization CARE he worked in Cambodia. He said (...) "I don't hear voices or see burning bushes, but it was clear that this is what I was meant to do. I just feel it was my destiny. It was then that he saw the horrors of the genocide in Cambodia (...) it was one of the first Westerners to see the mass grave being opened in Choeng Ek, "The Khmer Rouge had buried more than 7,000 people. To see that, to hear stories about entire families being killed, thousands being beaten to death and set on fire (...) it was harrowing (...)" he said.¹⁸

Stanton confirms during his work that he is devoted to pointing out the importance of the positioning of genocide in legal framework at the world level because, according to him, genocide exceeds national boundaries.

(...) "*Genocide is a crime against all people,*" he says. "*That is why the trials at Nuremberg were so important. Genocide should be tried by a world court (...)* historically, the facts need to be established (...) if the facts of the genocide are

¹⁷Gregory H. Stanton is the James Farmer Professor of Human Rights, at the University of Mary Washington, Fredericksburg, Virginia; President, Genocide Watch; Chairman, The International Campaign to End Genocide; Director, The Cambodian Genocide Project; Vice President, International Association of Genocide Scholars act. The official biography of Gregory H. Stanton can be seen in the annex of this paper. *The James Farmer Professor in Human Rights*. not dated. In: University of Mary Washington, http://www.umw.edu/cas/history/james_farmer_professorship/james_farmer_professor/default.php

¹⁸LIVELY, Tarron: *Turning Horror into Action*. The Washington Times, 14 May 2007, <http://www.washingtontimes.com/news/2007/may/13/20070513-111544-3546r/>

*not documented now, people will begin to forget about the killings. They will attach the word "alleged" to any mention of the genocide, thus reducing the perception of the crime (...)*¹⁹

In his presentation and extensive scholarly work, Stanton has introduced the theory of the "ESoG".²⁰ Starting from the analysis, study and detailed observations of events that are related to the newer and older history of genocide, or what modern law, science and political policy calls genocide, professor Stanton has come to define eight distinct elements that are recognizable in the preparation, implementation and denial of acts genocide. He went a step further and has defined ways of how to prevent the development of genocide in the preparatory phases as well as suggestions for actions that the international community could and should take against perpetrators of genocide in each phase.

These eight phases are: Classification, Symbolization, Dehumanization, Organization, Polarization, Preparation, Extermination and Denial. Whereby, Stanton explains the theory *"Genocide is a process that develops in eight stages that are predictable but not inexorable. At each stage, preventive measures can stop it. The process is not linear. Logically, later stages must be preceded by earlier stages. But all stages continue to operate throughout the process"*.²¹

1. Classification: *People are divided into "us and them". "The main preventive measure at this early stage is to develop universalistic institutions that transcend (...) divisions."*

2. Symbolization: *"When combined with hatred, symbols may be forced upon unwilling members of pariah groups (...) to combat symbolization, hate symbols can be legally forbidden as can hate speech (...)"*

¹⁹SHAW, Brian: *A Quest for Justice: W&L Law Professor Hopes to Take the Khmer Rouge to Court*. Washington & Lee Alumni Magazine, September – October, 1987. In: The Genocide Watch, <http://www.genocidewatch.org/aquestforjustice.html>

²⁰The list of professional and specialized texts and articles about genocide and the Eight Stages of Genocide theory by Dr Stanton can be seen in the annex of this work.

²¹STANTON, G. H.: *c.d.*, not paged.

3. Dehumanization: *"One group denies the humanity of the other group. Members of it are equated with animals, vermin, insects or diseases." "Local and international leaders should condemn the use of hate speech and make it culturally unacceptable. Leaders who incite genocide should be banned from international travel and have their foreign finances frozen."*

4. Organization: *"Genocide is always organized... Special army units or militias are often trained and armed (...) the U.N. should impose arms embargoes on governments and citizens of countries involved in genocidal massacres, and create commissions to investigate violations"*

5. Polarization: *"Hate groups broadcast polarizing propaganda (...) prevention may mean security protection for moderate leaders or assistance to human rights groups (...) coups d'état by extremists should be opposed by international sanctions."*

6. Preparation: *"Victims are identified and separated out because of their ethnic or religious identity (...) at this stage, a Genocide Emergency must be declared (...)"*

7. Extermination: *"It is "extermination" to the killers because they do not believe their victims to be fully human. At this stage, only rapid and overwhelming armed intervention can stop genocide. Real safe areas or refugee escape corridors should be established with heavily armed international protection."*

8. Denial: *"The perpetrators (...) deny that they committed any crimes (...) the response to denial is punishment by an international tribunal or national courts."²²*

The U.S administration, whose size, importance and influence in international relations is not necessarily described specifically in this work, Dr Stanton has acquainted with his theory. At a meeting in the U.S State Department in 1996 he presented his views on genocide and specifically commented on the recognition of the individual phases of genocide and possible actions which can prevent further development of genocide and avoid victims that genocide brings and who (or "what") is, in the end, was

²²STANTON, G. H.: *c.d.*, not paged.

its focus and goals.²³ Dr Stanton has published a series of papers which elaborate this theory. The theory has started being studied in several institutions of higher education.²⁴

The theory has begun to be widely used in scholars' works and with international organizations dealing with human rights and the prevention of large-scale crimes such as genocide. Therefore, the mentioned theory is possible to see more often cited by various authors who used it to describe their views on certain genocide or to prove acts of genocide in some conflicts through this theory. So, for example, in his *"The terrorist conjunction: the United States, the Israeli-Palestinian Conflict and Al-Qaida"* author Alfred Gerteiny tries to point out the crimes of genocide and to prove genocide in the conflict in the Middle East through the theory "Eight Stages of Genocide".

"Gregory H. Stanton of Genocide Watch in a paper deserving wide dissemination and originally written in 1996 at the Department of the State, posits that genocide does not just happen in vacuum, that "eight stages" characterize the evolution of most genocides and that "preventive measures" taken at any one of the stages can stop it. Stanton's "eight stages" are per force generic and must be flexibly and cautiously applied to particular cases, with history, environment, causality, circumstantialities, intentionality, intensity, politics, and ideology taken into consideration".²⁵

Explaining the applicability of said theory in his work, Gerteiny says: *"Indubitably, some will consider our use and interpretive adaptation of Stanton's "Eight Stages" as being tendentious and far-fetched, our aim, nevertheless, is to enlighten and reduce the causes of transnational terrorism, bring some sanity to East-West relations, and ultimately peace*

²³The debriefing document presented in 1996 at the meeting in the US State Department can be seen in the annex of this work.

²⁴For example: the University of Mary Washington, at Kingston University, London, at Viadrina European University, Frankfurt University of Siena, Italy, Viadrina European University Frankfurt (Oder), Germany, Collegium Civitas, Warsaw, Poland, Uppsala University, Sweden, as a part of Human Rights, Conflict Resolution subjects or as a separate Master of Arts programs in Human Rights and Genocide Studies.

²⁵GERTEINY, Alfred G.: *The Terrorist Conjunction: the United States, the Israeli-Palestinian Conflict and Al-Qaida*. USA 2007, pp. 92.

between Israelis and Palestinian, and across cultures“.²⁶ In this direction it is possible to observe the general use of Stanton’s theory which with its exterritorial concept and universal access can be used for monitoring the various participants and their work in the field.

1.1. Methodology of research

Given that the theory is about recognizing elements of the “ESoG” theory in two geographically, politically and culturally distinct areas where genocides took place and which coincided time-wise, it is necessary during the analysis of theory and its applicability in both cases, to describe and compare the events that correspond to certain segments of this theory. Therefore, the comparative-analytical method of work and research that the author chose for his work is necessary in this case. The dominating methodology is the comparative analysis method, in which the analytical segment has and uses the deduction method.

The thesis begins with this methodology which comprehensively examines selected issues.²⁷ The analysis method allows assessing various aspects that could prove the applicability of the chosen theoretical framework. This method is used for forming opinions of partial matters from different angles. The comparative method is applied and then is used to compare cases of genocide in Rwanda and BiH. The case study method is used for the analysis that explores significant details of one or more cases of this particular phenomenon. Other methods of research include synthesis methods which summarize information on used literature and articles by renowned authors. The above mentioned methods are not strictly separated from each other and during the work are combined together.

²⁶ GERTEINY, A. G.: *c.d.*, pp. 95.

²⁷ Explanations of methodology see JOHNSON, Janet Buttolph – REYNOLDS, H.T.: *Political Science Research Methods*. CQ Press, Washington 2005, pp. 83.

Each stage of genocide, which describes said theory, carries with it special characteristics which need to be recognized by study materials, texts, records and papers that talk about events in Rwanda and BiH from the early 1990's. All those elements must be individually placed in context of one of the stages that the theory describes in order to be recognized and confirmed. It is particularly important to present the evidence that appears from the verdicts of competent judicial bodies, which led criminal proceedings in cases of genocides, ethnic cleansing and other serious war crimes in Rwanda and Bosnia. By describing specific events, decisions, legislative acts or behaviour of genocide perpetrators it is possible to perform an analysis that would confirm the theoretical framework that is based on the theory that genocide works in eight stages and that each of those stages is recognizable and applicable in the acts of genocide that occurred in the latter part of the twentieth century.

1. 2. The Phenomenon of Genocide

In order to understand the genocide theory which the author used in his work, it is necessary to clarify the concept and phenomenon of genocide as such. For better understanding of the work as a whole, including terms, events and consequences, the author will present a short introduction of the Genocide Convention and explain some of its meanings and articles. The world has agreed on a convention on the prevention and punishment of the crime of genocide²⁸ and scholars have begun to explore the phenomenon of genocide and to give it a theoretical position from any point of view, whether it be, legal, judicial, political or even philosophical. In this work, the author will follow one theory which, in his opinion, comprehensively, clearly and accurately describes genocide. The theory which is not necessarily complicated by higher political or philosophical

²⁸See *Convention on the Prevention and Punishment of the Crime of Genocide*.

standards uses purely pragmatic terminology which is widely understandable and generally accepted.

1. 3. *The Genocide Convention*

Based on the UN Convention,²⁹ genocide is defined as „any of acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group,³⁰ as such: killing members of the group;³¹ causing serious bodily or mental harm to members of the group;³² deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;³³ imposing measures intended to prevent births within the group;³⁴ forcibly transferring children of the group to another group.³⁵

²⁹A legal definition of Genocide is found in the 1948 United Nations *Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG)* Article 2. Approved and proposed for signature and ratification or accession by General Assembly resolution 260 A (III) of 9 December 1948, entry into force 12 January 1951, in accordance with article XIII.

³⁰A national group means a set of individuals whose identity is defined by a common country of nationality or national origin. An ethnical group is a set of individuals whose identity is defined by common cultural traditions, language or heritage.

A racial group means a set of individuals whose identity is defined by physical characteristics.

A religious group is a set of individuals whose identity is defined by common religious creeds, beliefs, doctrines, practices, or rituals. The Prevent Genocide International – a global education and action network for the prevention of genocide and crimes against humanity.

The Crime of "Genocide" Defined in Internation Law. not dated. In: Prevent Genocide International, <http://www.preventgenocide.org/genocide/officialtext.htm>

³¹Includes direct killing and actions causing death. Ibid, not paged.

³²Includes inflicting trauma on members of the group through widespread torture, rape, sexual violence, forced or coerced use of drugs, and mutilation. Ibid, not paged.

³³Includes the deliberate deprivation of resources needed for the group's physical survival, such as clean water, food, clothing, shelter or medical services. Deprivation of the means to sustain life can be imposed through confiscation of harvests, blockade of foodstuffs, detention in camps, forcible relocation or expulsion into deserts. See *The Crime of "Genocide" Defined in Internation Law*, not paged.

³⁴Includes involuntary sterilization, forced abortion, prohibition of marriage, and long-term separation of men and women intended to prevent procreation. Ibid, not paged.

³⁵May be imposed by direct force or by through fear of violence, duress, detention, psychological oppression or other methods of coercion. The Convention on the Rights of the Child defines children as persons under the age of 14 years. Ibid, not paged.

The author's position is that this definition is applicable for Rwanda and BiH cases of genocide because the victims of both genocides were chosen based on characteristics that can be seen in the definition. The victims have not been the "collateral damage" as a result of war or military activities between armies, but they were the main goal of the wars.

"(...)you have to understand that there are two wars going on here. There's a shooting war and a genocide war. The two are connected, but also distinct. In the shooting war, there are two conventional armies at each other, and in the genocide war, one of those armies, the government side with help from civilians, is involved in mass killings."³⁶

In May 1992, the newly elected Commander in Chief of the Bosnian Serb Army (VRS), General Ratko Mladić, said that it would not be possible to separate Serbs from non-Serbs in the way that non-Serbs leave the area willingly, without external pressure or force. The general warned that any attempt in that sense would be genocide,³⁷ and this coming from an educated, professional military general. In Rwanda, during the government session on the eve of genocide, one minister said that she *"(...) was personally in favour of getting rid of all Tutsi; without the Tutsi,"* she told ministers, *"all of Rwanda's problems would be over"*.³⁸ Actors who have actively participated in the preparation of genocide and its implementation obviously knew what would be the results of their actions and therefore it is possible to observe both cases of genocide through one theory.

³⁶DOYLE, Mark: *International Media Coverage of the Genocide*. Transcript of remarks for the symposium on *Media and the Rwandan Genocide* held at Carleton University, 13 March 2004, <http://www.carleton.ca/mediagenocide/documents/transcript/panel3/doyle.html>

³⁷On the 12th of May 1992, at the 16th session of the Assembly of Serbian People of Bosnia and Herzegovina, Radovan Karadžić announced the six strategic goals of the Serbian people in BiH. One of the goals was to eliminate the Drina River as the border between Serbs. The other goals, for example, were the separation of Serbs from the other two nations, the division of Sarajevo, etc. At that same session, General Ratko Mladić said to the assembly that it would not be possible to separate the Serbs from the non-Serbs in the way that non-Serbs left the territory on their own. He warned that any attempt in that direction would mean genocide. See Article 78 in *Optužnica*. Magazine BH Dani, Content of Charges against Milošević. Special edition, 7 December 2001, <http://www.bhdani.com/arhiva/235/cinjenice.shtml>

³⁸Rwandan Prime Minister Jean Kambanda revealed, in his testimony before the International Criminal Tribunal, that the genocide was openly discussed in cabinet meetings and that "one cabinet minister said she was personally in favour of getting rid of all Tutsi; without the Tutsi, she told ministers, all of Rwanda's problems would be over." DOYLE, Mark: *Ex-Rwandan PM Reveals Genocide Planning*. BBC News, 26 March 2004, <http://news.bbc.co.uk/2/hi/africa/3572887.stm>

The genocides happened thousands of kilometres from each other but relatively at the same time. As the author, I think that genocide, wherever it occurs, has the same elements: a political idea, motivation, organization and willingness to participate.

To prevent genocide, the preparation of an early warning and actions taken to stop it, are the missions of many international organizations, nongovernmental groups and the majority of democratic governments and regimes. In their article, on the occasion of the anniversary of the adoptions of the Genocide Convention, Albright and Cohen note that large-scale crimes and genocides happen mostly under the guidance of non-democratic and totalitarian regimes “(...) *genocide fuels instability — usually in weak, undemocratic, corrupt states. It is in these states that we find terrorist recruitment and training, human trafficking and civil strife* (...)”³⁹

1.4 The Genocide Convention and International Crime Tribunals for Rwanda and Bosnia

It is not surprising that, perhaps because of the environments where these two genocides took place, the international community, with the UN as a main leader, have established crime tribunals outside of territories and judicial systems of the countries hit by genocide. The tribunals for the prosecution of war and crimes against humanity under control of the UN have the UN Genocide Convention as a basic judicial/legal law.

In the cases of Rwanda and Bosnia and Herzegovina, genocide is legally proven in several verdicts of international criminal courts, the International Crime Tribunal for the Former Yugoslavia (ICTY) and

³⁹ALBRIGHT, Madeleine K. – COHEN, William S.: *Never Again, for Real*. The New York Times, 20 December 2008, http://www.nytimes.com/2008/12/21/opinion/21albright.html?_r=1 Madeleine K. Albright, the secretary of state from 1997 to 2001, and William S. Cohen, the secretary of defence from 1997 to 2001, is the co-chairmen of the Genocide Prevention Task Force.

International Crime Tribunal for Rwanda (ICTR).⁴⁰ Moreover, the genocide in Bosnia and Herzegovina is legally proven in the verdict of the International Court of Justice in The Hague.⁴¹

As is explained in the text of the ICTY, the UN resolution 827 “(...) contained the Statute of the ICTY which determined the Tribunal’s jurisdiction and organisational structure, as well as the criminal procedure in general terms. This was the first war crimes court established by the UN and the first international war crimes tribunal since the Nuremberg and Tokyo tribunals. This date marked the beginning of the end of impunity for war crimes in the former Yugoslavia. The Tribunal was established to prosecute persons responsible for serious violations of international humanitarian law in the former Yugoslavia since 1991”.⁴²

Since the establishment of the Tribunal was indicted more than 130 people. The December 2003 he stopped 55 of them before the tribunal, another 20 have been prosecuted at large. A total of 46 defendants tried so far, of which 25 were found guilty and sentenced, five found innocent and acquitted, and one found guilty, but not yet sentenced. Another 15 cases are currently pending.⁴³

⁴⁰On 25 May 1993, the UN Security Council passed resolution 827 formally establishing the International Criminal Tribunal for the former Yugoslavia, known as the ICTY. See *Resolution 827*. 25 May 1993. In: UN Security Council, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N93/306/28/IMG/N9330628.pdf?OpenElement>

The United Nations Security Council created the International Criminal Tribunal for Rwanda (ICTR) by resolution 955 of 8 November 1994. *Resolution 955*. 8 November 1994. In: UN Security Council, <http://www.un.org/ict/english/Resolutions/955e.htm>

⁴¹See *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*.

⁴²The court has 16 permanent judges and 27 ad litem judges, of which nine can be used whenever needed. Remove court provides 1238 staff from 84 countries. The budget for the period 2002-2003 was 223 million USD. *About the ICTY: Establishment*. not dated. In: The International Criminal Tribunal for Yugoslavia, <http://www.icty.org/sid/319T>

⁴³The summer of 2001 saw also another historical development – the first genocide conviction before the ICTY. Radislav Krstić was found guilty of the genocide committed in Srebrenica, Bosnia and Herzegovina, in July 1995. This was a significant achievement for the Office of the Prosecutor OTP, as the crime of genocide is notoriously difficult to prove before a court of law. Attempts to prove genocide in relation to other parts of Bosnia and Herzegovina, such as Brčko or Prijedor, had failed in other trials. *About the ICTY: History*. not dated. In: The International Criminal Tribunal for Yugoslavia, <http://www.icty.org/sid/95>

The Security Council established the ICTR and its task is to prosecute persons who committed the Rwandan genocide in 1994, and other serious crimes under international humanitarian law. Jurisdiction is also subject to Rwandans who have committed such crimes on the territory of neighbouring states. As of December 2003, the ruling provided more than 60 people. Of these, 16 were found guilty (eight of them confirmed on appeal), and one acquitted (whether or not confirmed on appeal). Another 24 are now judged.⁴⁴

The courts, as already mentioned several times, have proven and condemned genocide during the wars in Rwanda and BiH. For example, the court convicted Jean Kambanda, who was Prime Minister during the Rwanda genocide.⁴⁵ Mr Kambanda is the first head of state that was arrested and subsequently convicted of genocide. Also, in the verdict against Radoslav Krstić,⁴⁶ the court, without any doubt, found acts of genocide.

“(...) Mr Krstic knew that by allowing Drina Corps resources to be used he was making a substantial contribution to the execution of the Bosnian Muslim prisoners. Although the evidence suggests that Radislav Krstic was not a supporter of that plan, as Commander of the Drina Corps he permitted the Main Staff to call upon Drina Corps resources and to employ those resources(...)”⁴⁷

⁴⁴ The Tribunal has three court chambers in which each sitting with three judges. Part of the appeal court chamber composed of seven judges, each must address at least five of them. The Tribunal has also a group of 18 ad litem judges, which may in each case use four of them. Remove the court provides 872 employees; the budget for 2002-2003 was 117.7 million USD. SCHARF, Michael P.: *Statute of the International Criminal Tribunal for Rwanda*. In: The Audiovisual Library of International Law, <http://untreaty.un.org/cod/avl/ha/ict/ict.html>

⁴⁵“(...)the International Criminal Tribunal for Rwanda, in the first-ever judgement by an international court for the crime of genocide, today (September 2th 1998) found Jean-Paul Akayesu guilty of genocide and crimes against humanity(...)”
Rwanda International Criminal Tribunal Pronounces Guilty Verdict in Historic Genocide Trial. 2 September 1998. UN Press Release,
<http://www.un.org/News/Press/docs/1998/19980902.afr94.html>

⁴⁶Radislav Krstic found “*guilty of aiding and abetting genocide.*” The Appeals Chamber unanimously “*sentences Radislav Krstic to 35 years’ imprisonment.*” See *Appeals Chamber Judgement in the Case the prosecutor v. Radislav Krstic*. ICTY Press Release, 19 April 2004, pp. 20, http://www.icty.org/x/cases/krstic/acjug/en/040419_Krsti_summary_en.pdf

⁴⁷ The Appeals Chamber unanimously finds that “genocide was committed in Srebrenica in 1995” “*(...) Bosnia Serb forces carried out genocide against the Bosnian Muslims (...). Those who devise and implement genocide seek to deprive humanity of the manifold richness its nationalities, races, ethnicities and religions provide. This is a crime against all humankind, its harm being felt not only by the group targeted for destruction, but by all of humanity.*” Ibid. pp. 1.

1.5 The key terms of genocide convection and the ESoG Theory

Based on found facts, this sentence was declared because the Convention on the Prevention and Punishment of Genocide states that the following acts shall be punishable: genocide; conspiracy to commit genocide; direct and public intent to commit genocide; attempt to commit genocide; complicity in genocide.⁴⁸

As can be seen from this short explanation of verdicts in the annex of this paper the courts have managed to prove these acts of genocides because it has been legally proven that key elements which are the assumptions that a criminal act has happened. These elements have been described and explained by the author of the “Eight Stages of Genocide” theory which is the basis of this work. Each of these key elements gives a broader explanation for a better understanding of the intent and purpose which proceed to any action genocide. The text below will be committed to a brief explanation of key elements which are an integral part of the theory used by the author.

“The crime of genocide has two elements: intent and action. “Intentional” means purposeful. Intent can be proven directly from statements or orders. But more often, it must be inferred from a systematic pattern of coordinated acts. Intent is different from motive. Whatever may be the motive for the crime (land expropriation, national security, territorial integrity, etc,) if the perpetrators commit acts intended to destroy a group, even part of a group, it is genocide.”⁴⁹

The whole or in part – this phrase, taken from the explanation of the Genocide Convention, is key for many theorists. They believe that

⁴⁸The international legal definition of the crime of genocide is found in Articles II and III of the 1948 Convention on the Prevention and Punishment of Genocide. *“Genocidal acts need not kill or cause the death of members of a group. Causing serious bodily or mental harm, prevention of births and transfer of children are acts of genocide when committed as part of a policy to destroy a group’s existence.”* See *The Crime of “Genocide” Defined in Internation Law*.

⁴⁹The phrase “in whole or in part” is important. Perpetrators need not intend to destroy the entire group. Destruction of only part of a group (such as its educated members, or members living in one region) is also genocide.” *The Legal Definition of Genocide*. not dated. In: Prevent Genocide International, <http://www.preventgenocide.org/genocide/officialtext-printerfriendly.htm>

participation in genocide and murder of even one person is the part of the greatest plan and action which has a higher goal than murder of one individual so explained that the „*intent to destroy a substantial number of group members – mass murder. But an individual criminal may be guilty of genocide even if he kills only one person, so long as he knew he was participating in a larger plan to destroy the group*“.⁵⁰

The genocide convention predicts that acts of genocide and at the same time the criminal act, are not only execution but also planning, instigating and associating in order to commit genocide.⁵¹ This is an important prerequisite for the criminal prosecution of persons who are in high/important positions. They can be charged for intellectual, spiritual or even political involvement in the planning of the crime. The idea of genocide and the elimination of the “others” must come from somewhere or someone and they must have the means of spreading the idea and winning sympathizers over. They must create a climate which has the right conditions for the committing of genocide while at the same time not having any interference from state institutions such as the police, army, courts, prosecutions, media, etc. Another fact which confirms the theory that genocide happens mostly under non-democratic regimes is because poor or non-democratic regimes and institutions are easy to control, corrupt and direct in any desired way.

“The law protects four groups - national, ethnical, racial or religious groups.”⁵²

After being introduced to these facts about the UN Genocide Convention, evidence which without any doubt confirmed genocide in Rwanda and Bosnia and the explanation of the methodology used in this

⁵⁰FEIN, Helen: *Genocide and Other State Murders in the Twentieth Century*. 24 October 1995. In: United States Holocaust Memorial Museum, Committee on Conscience, <http://www.ushmm.org/genocide/analysis/details/1995-10-24-02/fein.pdf> pp. 6.

⁵¹It is a crime to plan or incite genocide, even before killing starts, and to aid or abet genocide: Criminal acts include conspiracy, direct and public incitement, attempts to commit genocide, and complicity in genocide. See *The Crime of "Genocide" Defined in International Law*.

⁵²See *The Crime of "Genocide" Defined in International Law*.

thesis, the continuation of this work will cover stage by stage the “Eight Stages of Genocide” theory in the cases of Rwanda and BiH.

2. The first stages of the ESoG theory: Classification

2. 1. *Us versus them*

The first phase of genocide in Stanton's "ESoG" theory is described as "Classification". In this content, he explains that a particular society is divided into "us and them" " (...) by *ethnicity, race, religion, or nationality: German and Jew, Hutu and Tutsi. Bipolar societies that lack mixed categories, such as Rwanda and Burundi, are the most likely to have genocide*".⁵³ From this theory came that division can be for several reasons. Every society is divided in some way, between young and old, rich and poor, men and women, employed and unemployed, etc. These divisions are common and do not cause unbearable hostility among people. The birth of the idea, thought or desire to mark others as bad can be disastrous for the survival and development of society. Just with the development, promotion and deepening of these ideas, conflicts and growing hostility arise in society, to the extent that all problems are blamed on the opposite. "They," not "us", are to blame for the poverty, misery and misfortune of "our" community.

Speaking specifically about the situation before genocide in Bosnia and Herzegovina and Rwanda, societal divisions had been apparent in ethnic and/or in religious elements.

⁵³The "EsoG" Theory Definition of the first stage "Classification": *"All cultures have categories to distinguish people into "us and them" by ethnicity, race, religion, or nationality: German and Jew, Hutu and Tutsi. Bipolar societies that lack mixed categories, such as Rwanda and Burundi, are the most likely to have genocide. The main preventive measure at this early stage is to develop universalistic institutions that transcend ethnic or racial divisions, that actively promote tolerance and understanding, and that promote classifications that transcend the divisions (...) Promotion of a common language in countries like Tanzania has also promoted transcendent national identity. This search for common ground is vital to early prevention of genocide."* STANTON, G. H.: c.d not paged

2. 2. Bosnia and Herzegovina “the Balkanian Switzerland”

For Bosnia and Herzegovina it is often possible to hear that it is the Balkanian Switzerland. Hilly land, forests and cool mountain streams are home of three South-Slavic people, Bosniaks, Serbs and Croats. In this paper the goal is not to seek the origin of these people, where they came from or how long they have lived there, but as the author, my point of view stems from the fact that their home is in BiH. Valid laws and constitutions in the period immediately preceding the war put all people in an equal position with the same possibility for work and development.⁵⁴ But in the predawning of genocide, differences between nations had begun to escalate which led to the denial of national identity of the Bosniaks by some leaders. These exact circumstances later led to genocide against Bosniaks. Commenting on the behaviour of the Serbian political leadership in Bosnia and in Serbia at that moment, Lavić dared to say that the “*Greater-Serbian spirit does not allow the Serbian people to see others as “others” or as proper people (...) everything is emphasised specifically from Karadzic's "conversion" of everybody into Serbs, and that no one asked them what they were (All are Serbs...everyone, everywhere)*”.⁵⁵ Lavić in his analysis relies on statements given by the main leaders who promoted Serbian political ideas. The main suspect accused of the joint criminal acts, and at the time of genocide the president of the SDS, Radovan Karadžić,⁵⁶ even now, fifteen years later, in his statements to the

⁵⁴One of the most important provisions of the then applicable (valid) LX constitutional amendment to the Constitution of the Socialist Republic of Bosnia and Herzegovina in 1991 is the one giving a new definition of BiH (...) *democratic, sovereign state of equal citizens, the people of Bosnia and Herzegovina – Muslims, Serbs and Croats and members of other nations and nationalities live in it*” IBRAHIMAGIC, Omer: *Constitutional Development of Bosnia and Herzegovina*. Vijeće bosnjackih intelektualca, Sarajevo Septebar 1998, pp. 41-42, <http://www.camo.ch/PDFO/OmerBiH.pdf>

⁵⁵LAVIĆ, Senadin: *Dictatorship of Nationalism Great Serbia Expansionism, Ethno-Preverion and Will of Nation*. Pregled, Periodical for Social Issues, LXXXVII, 2007, 3-4, Sarajevo, pp. 121.

⁵⁶Radovan Karadzic, Indicted for genocide, extermination, murder, persecutions, deportation, inhumane acts, acts of violence the primary purpose of which was to spread terror among the civilian population, unlawful attack on civilians, taking of hostages *Case Information Sheet*,

media denies the nationality of victims of genocide. "Former President of the Serbian Republic in BiH Radovan Karadzic said in an interview to "Al-Jazeera" that *"the war in Bosnia was a war between the Serbs, because Muslims from Bosnia are Serbs, who during the Ottoman rule converted to Islam"*.⁵⁷

But, before all that, Bosnia and Herzegovina lived on the same way as other former Yugoslav republics. It was one of six federal republics with the same obligations and rights as other Federal states. The population of BiH's three nations were mixed, and there were just a few areas where one of the nationalities had absolute domination. Bosnia and Herzegovina had an extra unique characteristic than other former Yugoslav republics, it was not defined as a "People's Republic", but as a "citizens and national republic" of three nationalities.⁵⁸ These nationalities, Serbs, Croats and Bosniaks, were at the same time the majority in Yugoslavia. Beside that fact, BiH had a population of 99% of South-Slavic origin and that characteristic made it the "purest" of the all Yugoslav republics⁵⁹. Mixed marriages were common especially in urban areas⁶⁰ and all people were connected with one common ideology, which was communism.

When communism as an ideology began to fail in Eastern Europe, Bosnia and Herzegovina people found themselves at a crossroads. They

Radovan Karadzic. 19 November 2009. In: ICTY,
http://www.icty.org/x/cases/karadzic/cis/en/cis_karadzic_en.pdf pp. 1.

⁵⁷*Rat u BiH je bio rat između Srba - The War in Bosnia Was a War Between the Serbs*. 26 February 2010. In: Sarajevo-X, Karadžićev intervju Al-Jazeera, <http://www.sarajevo-x.com/bih/politika/clanak/100226013>

⁵⁸IBRAHIMAGIC, O.: *c.d.* pp 41.

⁵⁹*Etnička obilježija stanovništva*. Novembar 1993. Zavod za Statistiku Republike Bosne i Hercegovine, Statistički Bilten,
<http://www.bhas.ba/arhiva/census1991/Etnicka%20obiljezja%20stanovnistva%20bilten%20233.pdf> pp. 10-14.

⁶⁰*"Statistika ze 70. a 80. let dokládají že z celkového počtu manželství, která byla v BaH v posledních 20 letech uzavřena, bylo v průměru 16% smíšených. Zvláště výrazně se teno trend projevoval v největších městech – např. v Zenici bylo smíšených manželství 19%".* HLADKÝ, Ladislav: *Bosenská otázka v 19. a 20. století*. Mezinárodní politologický ústav, Brno 1996, pp. 222.

did not have a common alternative to communism, which would unite them toward one single goal which would bring them together; therefore they tried to rely on their neighbours who all went their own ways with their own agendas. The so called “People’s democracy,” or nationalist parties, won the first elections in SRBiH. By binding three national flags, they tried to demonstrate their unity and at that moment informal coalition. Their coalition was formed by three dominant nationalist parties to establish the government of BiH Republic.⁶¹

Although it was formally operated as a single coalition, division in Bosnian society had already started. A basic division could be seen from the election results where citizens at polling centres unanimously supported political goals that were represented by the narrow interests of their own nations. Everyone voted for a representative from their own background, and in that way directly introduced division into the republic government which began to function not by party principals but by ethnicity.⁶² This means that all governmental positions were filled specifically by previously agreed upon nationalities. National parties began a count of lead positions in state companies or institutions and of management requirements of which and how many positions should be filled by Serbs, Croats or Muslims (Muslims, in this case still written with a capital letter, because they were represented as a nationality and not as a religious group. In 1993 they changed their national name to Bosniaks, to prevent confusion about religious and national identity).⁶³ The Bosnian

⁶¹“Fifteen parties or coalitions participated in the elections in November 1990, in which voted 2,300,000 voters (...) a characteristic of these elections were an absolute win of three national parties which provided either an absolute or relative majority in 104 out of 110 municipalities by winning 75 percent of all seats (...)”

HERCEG, Nevenko – TOMIĆ, Zoran: *Izbori u Bosni i Hercegovini*. Sveučilište u Mostaru, Centar za studije novinarstva, Mostar 1998, pp. 37.

⁶²„Similar situation was also in the republic’s government. Ministeries, belonging to HDZ BaH, did not obey Izetbegovic, but its party leader Kljuic, the Serbs did not obey Prime Minister Pelivan (Croat), but respected only orders of Karadzic, the Muslims obey only Izetbegovic, chair of their own party.” HLADKÝ, Ladislav: *Bosna a Hercegovina historie nešt’astné země*. Doplnek, Brno 1996, pp. 136.

⁶³“The Declaration of the National Name was adopted by the “Sabor.” This declaration is about changing the national name from Muslim to Bosniak. It says: “Being aware of the historical significance of the moment we are meeting, and the temptations that await us, we are

Croats sympathized with Croatia and the Bosnian Serbs with Serbia was openly visible. Both Croats and Serbs have been supporting the political goals of the neighbouring republics and have been attempting to identify with them since then.⁶⁴ Interests in Bosnia and Herzegovina as such showed the most Bosniaks who, within SRF Yugoslavia, did not have a so-called people's republic. They were interested in seeing the preservation of Yugoslavia as a federal state of South-Slavs or Bosnia and

determined to return to our nation's historical and national name Bosniaks and in doing so to strongly connect with the Bosnian land and its statehood tradition, of our overall Bosnian language and the spiritual tradition of our history." Explaining the Declaration, Alija Isakovic said: "It is clear that the term Muslim brought great misunderstandings and deprived us from the natural law and the concept of country, language and nation." Speaking about the differences in the terms Bosniak and Bosnian, adds: "Bosnian is anyone who is born in Bosnia and Herzegovina. Bosniak is a synonym for what is now appointed by the word Muslim. "We fell asleep as Muslims, we awoke as Bosniaks" – is the title of one news commentary, where it said that Bosniaks' drama is entering into a critical phase: either we will be the Nation or not. "Behind us is the time of twenty years in which Bosniaks had their quasi-nationality. They were people not in heaven or on earth...without identity, without their culture and without a clear self-image, people with a discontinuity of memory, who are empty of the present and without a vision of tomorrow. Bosniaks were without their political and national territory, and without defense mechanisms. To put it simply people without a country. And to be in Europe without a country means to be as black gypsy singing sad songs and nothing more. To Bosniaks its like offering a state now, a small one but still a state. That state should be taken". FILANDRA, Šaćir: Nation or Community Contradictions of Bosniaks' National Development. In: Yearbook of the Faculty of Political Sciences, 1, 2006, pp. 197.

⁶⁴*"Both parties, SDS BaH and HDZ BaH officially presented themselves as independent Bosnian-Herzegovinian parties, which wanted to represent interests of Serb, Croatian inhabitants of Bosnia-Herzegovina respectively. As the time went on, it clearly appeared that they pursued further goals, not only the republic's. Both parties closely cooperated with political headquarters in Belgrade and Zagreb, and consequently became their obvious political tools to promote „Great-Serbian“ – „Great-Croatian“ attempts in lingering Yugoslavia (...) Also some statements of top Croatian and Serb representatives, infirming permanence of borders between Yugoslav Republics, were causing an increase of nationalistic strains. Franjo Tudjman in an interview for the paper Der Spiegel said: „There appear attempts to establish Great Serbia, respectively, there is a risk of Yugoslavia's disintegration, and therefore we need to make an attempt to newly create natural and historical borders of Croatia. We do not want to settle for the current unnatural and absurd borders“. Slobodan Milosevic, talking in a very similar manner, pronounced, as a reaction to Slovenian and Croatian proposals to confederate Yugoslavia. That Serbia did refuse this proposal, as it would not keep the common state but just a union of independent states. In that case, according to Milosevic, Serb borders would become an open matter (...) during a separate meeting of Serb president Slobodan Milosevic and Croatian president Franjo Tudjman in Karadjordjevo in March 1991 they both reputedly agreed, that one of the best ways how to solve the increasing state crisis would be separation of Bosnia Herzegovina between Croatia and Serbia. Franjo Tudjman spoke about separation of Bosnia-Herzegovina according to the spirit of Cvetkovic-Macek agreement also later, during his visit to London in early 1991 (later confirmed by the British Foreign Affairs Ministry)". HLADKÝ, L.: Bosna a Hercegovina: Historie nešťastné země. pp. 130-131-132-136-137.*

Herzegovina as a unified republic. This had never been a priority or basic objective of the other two national groups.⁶⁵

Citizens of their ethnic division identified with a particular religious affiliation so that the Orthodox are Serbs, Catholics are Croats and Muslims are Bosniaks, the exceptions are rare and statistically completely negligible⁶⁶ Ethnic development in this area is linked to religion and not to language as in Western Europe.⁶⁷ Otherwise there are no physical

⁶⁵For example (...) In June 1991 Tomislav Šipovac, the SDS Main Board member, said: "For us, Bosnia and Herzegovina as a sovereign, independent, especially anti-Serb government entity in which Serbs would be the minority, is not an option. We are for a federal, unified Bosnia and Herzegovina in the Federation of Yugoslavia. Any other model for us is unacceptable. Between the Serbs in Bosnia and other parts of the country with united Serbian people cannot be state borders and will be not. (...) But I think (that) divisions, especially within the designated borders, are impossible to carry out in a peaceful way (...) the ethnic policy standards would be not the only one, we would ask according to our historical rights and particularly the rights of strongest one!" (D. Čičić, NIN, no. 228, June 1991.) (...) In a time when nationalist conflicts grew, the leadership of the national parties remained dug in behind the opposing goals, in discussions about the position of BiH and its reconstruction on a national basis, leader of the SDS, R. Karadzic threatened by war in which „the Muslims will probably disappear from the face of the earth" (M. Tomic, "Sunday, 20 October 1991.) (...) The conference in The Hague insisted that Bosnia give a statement on their fate. For the political public, it was clear that Muslims cannot accept the division of Bosnia, the Serbs – would not let a third of their people live inside two separate countries (Bosnia and Herzegovina and Croatia), and Croats, particularly those from Bosnia, most of them remain outside the Croatia. (...)" RADAKOVIĆ, T. Ilija: Besmislena Yu Ratovanja 1991-1995. Društvo za istinu o antifašističkoj narodnooslobodilačkoj borbi u Jugoslaviji (1941-1945) Beograd 1997, pp. 147-149.

⁶⁶„The greatest number of such attempts sought instead to establish that the Bosnians of the Muslim faith were people of the same category, historical heritage, and social identity as Bosnian Serbs and Croats. While, of course, many such facts are correct in a general way, there are important but insufficiently explained characteristics of the historical identity of Bosnians of the Muslim faith. During specific periods of our history, there were similarities and differences in regard to the level of development and differentiation within our own national identity, as well as in relation to our neighbour Bosnians of the Catholic or Orthodox faith, some of whom became and are now national Serbs and Croats (...) Bosnians of the Catholic and Orthodox religion who did not choose their own country and state of Bosnia as the base of their national identification, but they chose, as a basis for that, their own religious belonging. Their national state was not Bosnia anymore, but Serbia or Croatia. In that way, those who identified themselves with Serbia or Croatia as their state and national identity, became national Serbs or Croats, and their previous identity as Bosnians was abandoned in history, overcome as a non-useful historical costume. Identification with Serbia or Croatia as the mother states, however, does not bring with it anything significant to strengthening the historical role and sense of collective action of Serbs or Croats within Bosnia and Herzegovina, except a collective action aimed at destroying the essence of Bosnia and Herzegovina.“
FILIPOVIĆ, Muhamed: *Who Are We, Bosniaks?* Spirit of Bosnia (Duh Bosne), 4, 2009, 2, pp. 4-5.

⁶⁷“Islam was the mechanism effecting sanctification of their identity, and was a constant reminder of their origin. The case of the Bosnian Muslims shows again how important religious

differences between the BH people. All are of Slavic origin and often just based on people's names is not possible to see to which nationality a person belongs to.

But under local communities, among neighbours it is always known to which group of people neighbours belong to and for example, which holidays are celebrated. Implementation of some of political ideas, in the opinion of the author of this thesis, must be conducted outside of the law and with the use of force. The problem in Bosnia and Herzegovina was primarily started with the collapse of the federal state when Bosnia and Herzegovina as an equal federal member state had to define its status within the federation, or in the case of dissolution of the federation, had to decide on its position towards its neighbours. Three equal BH people had different visions of BH status and different political ideas which we have been discussed in the previous text. Political impletation of some of these ideas, in the opinion of the author of this thesis, must be conducted and by the law and the use of force.

That use of force is mostly connected to territorial claims, ie the establishment of several "territorial islands" where one nationality is the majority.⁶⁸ In that moment begins the initialization of the first stage of genocide, when in the Bosnia's case, begins the denial of nationality and therefore the right to exist. (...) *the cultural revival strengthened a Bosnian identity and threatened Serb nationalist from both Bosnia and Serbia, who recognized no separate Bosnian culture (...) instead of recognizing Bosnians' common Slavic heritage, history and language, these groups refocused on Islam and argued that Bosnian Muslims were "really" Turks.*⁶⁹ Francine Friedman shared the same way of thinking in her book *The Bosnian Muslims: Denial*

affiliation is in creating separate identity. Change threatened their existence, but it was change that preserved them in the end." LOPASIC, Alexander: *Bosnian Muslims: A Search for Identity*. Bulletin of British Society for Middle Eastern Studies, 8, 1981, 2, www.jstor.org/stable/194542 pp. 123.

⁶⁸ See *Optužnica*.

⁶⁹ FRUCHT, C. Richard: *Eastern Europe: an Introduction to the People, Land, and Culture*. ABC-CLIO ltd. Santa Barbara 2004. pp. 675.

*of a Nation, she says "(...) Croat and Serb claims to Bosnia, not just to its territory, but to its non-Christian population as well (...) Croat nationalists claimed the Bogomils were heretic Catholics who converted to Islam but in essence remained ethnic Croats; hence, their territories remained Croatian patrimony. Not to be outdone, Serb nationalists asserted that the Muslims were originally Orthodox settlers who converted to Islam under Turkish pressure (...) Muslim leaders countered that their people were descendants of Bogomils with a distinct Slavic culture that, when wedded to Islam, produced an original Bosnian Muslim ethos."*⁷⁰

To avoid death or eviction, many Bosniaks were trying to not be one of the "others" or "different" ones in territories which had fallen under control of Serbian forces and some of them tried to conceal their nationality or religion, which, as we have seen in Bosnia's case, is closely related. There have been cases of changing names, or even conversion.

*"Two months ago, the police paid an unexpected visit to the home of a Muslim paediatrician and his wife, a dentist. They had bad news. The city wanted to take over their spacious three-story home for municipal offices. But the paediatrician also had a surprise for the authorities. He pulled out papers showing that he had legally changed his traditional Muslim name to a Serbian name. "There was nothing we could do," said Capt. Milorad Javic, one of the officers at the scene. "As long as he was a Serb, it was illegal for us to take that house."*⁷¹

The article continues with a claim that *"town authorities estimate that 300 people in Bijeljina have changed their names since the war begun. Twenty-eight others have taken the next step and had themselves baptized, according to Nedeljko Pajić, the head of the Serbian Orthodox church in Bijeljina"*. Based on this we can conclude that in territory under Serbian control, the exclusive ethnicity laws were in force and had different standards for Muslims-Bosniaks (as well as all non-Serbs) and Serbs. The so called "Serbian Municipality Čelinac," a group self-named

⁷⁰FRIEDMAN, Francine: *The Bosnian Muslims: Denial of a Nation*. In: BUGAJSKI, Janusz: *Book reviews*. ORBIS, 1996.
http://findarticles.com/p/articles/mi_m0365/is_n4_v40/ai_18798575/pg_2/?tag=content;col1pp. 2.

⁷¹DEMICK, Barbara: *Muslims in Bosnia Shed Names to Save Homes, Businesses and Their Lives*. Knight Ridder/Tribune News Service. 2 January 1994,
<http://news.google.com/newspapers?nid=1914&dat=19940103&id=XWMgAAAAIBAJ&sjid=DWYFAAAAIBAJ&pg=4422,200814>

by local Serbian leaders, adopted the conclusion about the status of non-Serbs in the municipality and in that way supported division through ethnicity laws. The Conclusion states:

(...) Article 4, citizens who are under Article 1⁷² have permission to leave the municipality area under the condition that their ability to move is legally permitted and applies to their whole immediate family. In addition local authorities have issued to them designated travel documents and certificates for free passage.⁷³

From this Article of the Status of the non-Serb population Conclusion, it is clear that the so-called “relocation” of citizens is organized by the authorities acting on behalf of the Municipality and that they are in complete control. Therefore, freedom of movement is limited to only specified group of citizens, ie non-Serbs, while, possibly for Serbs, it is unnecessary to issue any permits because they are not the “enemy.” The Conclusion goes further and in Article 5 defines the detailed rules that non-Serbs have to observe:

“(...)(for non-Serbs) it is not allowed for people to move around the town between 16:00 and 6:00, it is forbidden to be in streets, in restaurants, or other public places, as well as swimming in rivers and Vrbanja Jošovića or to fish and hunt in general (...) it is forbidden to drive motor vehicles (...) be in groups larger than three men, without permission, communicate with relatives who are not citizens of Čelinac is not allowed, meaning that their visits must be announced (...) it is forbidden to sell land or property, or exchange dwellings without special permission of the municipal authorities (...)⁷⁴

They are “dangerous,” they are “different,” they are a “nuisance” - these were the “clear” classification standards used in society. These classifications were used as an excuse to prepare and adopt different legal standards.

⁷²Article 1 of the Conclusion “(...) the status of the non-Serb population is determined by clearly defined rights and obligations” ZULCH, Tilman: *Ethnic Cleansing “Genocide” for a Greater Serbia*. Society for Threatened Peoples, Bosnian Cultural Center, Sarajevo 1996, pp. 88.

⁷³ZULCH, T.: *c.d.* pp. 88.

⁷⁴ZULCH, T.: *c.d.* pp. 89.

2.3 Rwanda the “Land of a Thousand Hills”

Divisions in society have lasted for centuries, and the dividing line was clear, but judging from the analysis of many authors, they were artificially induced.⁷⁵ Rwanda’s society consisted of two main ethnic groups, Hutu (85% of population) and Tutsi (15% of population)⁷⁶ and a very small number of Pigmy and others. Development and establishment of the two main people of Rwanda is controversial and questionable because many authors believe that the differences between populations are primarily made by political methods. Based on the number of cattle owned, colonizers determined peoples’ ethnicity and future occupations of inhabitants. Official sources say that the Hutu were involved in agriculture, and the Tutsis are originally from Ethiopia and were mainly involved in cattle breeding.⁷⁷ Historical data shows these specific methods had been used primarily by Belgian colonizers to track and mark the population.⁷⁸

⁷⁵ „In order to strengthen their control, the Belgians colonists divided Rwanda’s unified population into three distinct groups: Hutu, Tutsi, and Twa. In order to do this, the colonists created a strict system of racial classification. Both the Belgians and the Germans, influenced by racist ideas, thought that the Tutsi were a superior group because they were more “white” looking(...) The colonists believed that the Tutsi were natural rulers, so they put only Tutsis into positions of authority and discriminated against Hutus and Twa.“

HYMOWITZ, Sarah - PARKER, Amelia: *History of the Tutsis and the Hutus*. American University Washington College of Law Center for Human Rights and Humanitarian Law. 15 April 2004, www.wcl.american.edu/humright/center pp. 3.

⁷⁶“(...) the populations (...) consist of only two major groups, called the Hutu (originally about 85% of the population) and the Tutsi (about 15%). To a considerable degree, the two groups traditionally had filled different economic roles, the Hutu being principally farmers, the Tutsi pastoralist (...)”. DIAMUND, M. Jared: *Collapse: How Societies Choose to Fail or Succeed*. Hardcover, UK 2005, pp. 314.

⁷⁷“(...)although their origins are not firmly established, their physical features suggest obvious ethnic affinities with the Galla tribes of southern Ethiopia the “origins” of the Tutsi have been a focus of much speculation, particularly during the colonial period (...)”

MALKK, Liisa Helena: *Purity and Exile: Violence, Memory, and National Cosmology Among Hutu Refugees in Tanzania*. Paperback, London 1995, pp. 23.

⁷⁸“The racist theories of the colonial era attributed superiority to Tutsis because of their aquiline noses and other “white” features. Tutsis were given preference in education, the church, the economy, and the government service. Colonial rulers thus exacerbated the traditional classification divisions (...) these groups came to be seen as “castes,” by their German and Belgian colonial rulers, who ruled indirectly through the Tutsi elite. Germans and Belgians developed the “Hamitic hypothesis” that Tutsis were the lost tribe of Ham and had migrated from Ethiopia.

Thus the separation occurred because the Tutsi rulers received privileged roles in society and the Hutu's received the underprivileged ones. A simple general overview of the situation in Rwanda before the genocide, which in a few sentences describes the situation in the country and how there was a division between its population, was presented at the beginning of the film "Sometimes in April".⁷⁹

"For centuries the Hutu, Tutsi and Twa of Rwanda shared the common culture, language and religion. In 1916, Belgium took control of Rwanda from Germany and installed a rigid colonial system of racial classification and exploration. By elevating the Tutsi over the Hutu, they created deep resentment among the Hutu majority. In 1959, the Belgians handed control of Rwanda to the Hutu majority. With independence come decades of institutionalized anti – Tutsi segregation and massacre hundreds of thousands of Tutsis and moderate Hutus were forced into exile. In 1988 some of these refugees formed a rebel movement called the Rwandan Patriotic Front (RPF) to reclaim their homeland. In 1990, from their base in Uganda, the RPF launched an offensive organist the Hutu regime that was stopped with French and Belgian military support. A deadly cycle of war and massacre continued until 1993, when the UN negotiated a power-sharing agreement between the two sides. To protect their power, hard-line Hutu extremists resisted the implementation of the agreements and planned one of the most terrifying genocides in history".⁸⁰

As the author I can say that classification as a phenomenon in Rwanda is shown on the basis of the artificially created divisions in society there. These divisions, which have been supported and maintained for dozens of years, survived and have been accepted in society as an ordinary fact.⁸¹ Existence of these divisions led to the growth of antagonism. The divisions themselves caused every citizen to *not* have

DES FORGES, Alison: *Leave None To Tell The Story, Genocide in Rwanda*", Human Rights Watch & FIDH, New York 1999. pp. 38.

⁷⁹The "Sometimes in April" is a television film. The story is about two brother hited in a storm of violence during Rwanda genocide. it is a historical drama rewarded by several prices. PECK, Raoul (dir.): *Sometimes in April*. Film. 2005. In: The Internet Movie Database, <http://www.imdb.com/title/tt0400063/>

⁸⁰The indrotuction in the television film „Somewhere in April“.

⁸¹"In 1933, Belgian scientists then went to Rwanda to measure peoples' nose length. Based on their finding that a typical Tutsi nose was at least twoand a half millimeters longer than a Hutu nose, the Belgians supported the Tutsis by giving them almost all the administrative jobs and praising their noble lineage and beauty. In contrast, the Hutus were consistently told that they were ugly, stupid, and worthy only of working in the fields. With Belgian support, the Tutsis ruled with a heavy hand". *RUSESABAGINA, Paul – ZOELLNER, Tom: An Ordinary Man*. Viking Adult, New York 2006, pp. 288.

equal chances and future opportunities because of the roles which were predetermined for certain categories in society.⁸²

As the division was generally accepted, the preservation of acquired privileged positions was normal as well as an attempt to improve the lower positions. The proposals began to develop and ideas to change the situation, but not by democratic ways. These divisions began being abused in order to justify the plan of the elimination of the "others".

"(...) The supposedly foreign origins of the Batutsi, once used to defend their inherent right to rule, were now being used to justify plans to drive them out of Rwanda. A key hate speech was made in 1992 by a leading Hutu power politician, Leon Mugesera, who heralded the genocide when he said that all Tutsi should be sent 'back home to Ethiopia' where they supposedly came from. Their destination was to be reached 'via Nyaborongo (river) on an express trip' When the genocide did take place just two years later, tens of thousands of Rwandans' dead bodies did float down the Nyaborongo river, almost all of them Tutsi or part Tutsi."⁸³

At that time, such statements went unpunished or uncondemned in the institutions of the system, inevitably leading to further division and classification of society, which in turn, caused further antagonism. This is precisely the point that "ordinary" innocent division leads directly to conflict.

As is proven in this chapter on the first level of genocide „classification“, division and classification of societies in Rwanda and Bosnia and Herzegovina were generally accepted facts within the two societies. However, both societies were about to take their classification in the direction of violence and antagonism. In Bosnia the genocide executors “accused” the Bosniaks of changing religion and in that they

⁸²“The notion of inherited and immutable inter-racial differences in ability and make-up bolstered what was seen as a pre-colonial premise of inequality’, on which inter-lacustrine aristocracies had long based their claims to legitimacy (Maquet 1961). European religious and racial value systems thus came to be superimposed on earlier divine interpretations of the earthly.”

HINTJENS, M. Helen: *Explaining the 1994 Genocide in Rwanda*. The Journal of Modern African Studies, 37, 1999, 2, <http://www.jstor.org/stable/161847> pp. 254.

⁸³Ibid, pp. 280.

found justification for the denial of national identity and the right to live in Bosnia. In Rwanda were perpetrators and ideologists of violence who complained about the Tutsi people and their role in the colonial system and their origin, which according to them, does not belong in Rwanda.

3. The second stage of EsoG theory: Symbolization

As the second stage of genocide, the "ESoG" theory describes "Symbolization". The author explains that society gives names or other symbols which are used for classification of the "others" or "different." *"We name people "Jews" or "Gypsies", or distinguish them by colors or dress; and apply the symbols to members of groups."*⁸⁴ The danger begins showing when these names or symbols begin to be combined with hatred or negative overtones. Otherwise the giving of names or symbols do not have to have any negative connotation.

3.1 Administrative "symbolization" through ID cards or given names

Except the characteristic names for the members of the Muslim religion, other major classifications were not in Bosnia. Surnames of the population of Bosnia and Herzegovina are similar between the Muslims or the Orthodox population, but the formal legal classification of people was not supported and encouraged by the political system of the republic. On ID cards there was no distinguishment between nationalities, only standard information which included the name of one parent, usually being the

⁸⁴*"We give names or other symbols to the classifications. Classification and symbolization are universally human and do not necessarily result in genocide unless they lead to the next stage, dehumanization. When combined with hatred, symbols may be forced upon unwilling members of pariah groups: the yellow star for Jews under Nazi rule, the blue scarf for people from the Eastern Zone in Khmer Rouge Cambodia. To combat symbolization, hate symbols can be legally forbidden (swastikas) as can hate speech. Group marking like gang clothing or tribal scarring can be outlawed, as well. The problem is that legal limitations will fail if unsupported by popular cultural enforcement. If widely supported, however, denial of symbolization can be powerful, as it was in Bulgaria, where the government refused to supply enough yellow badges and at least eighty percent of Jews did not wear them, depriving the yellow star of its significance as a Nazi symbol for Jews". STANTON, G. H.: c.d not paged.*

father's name.⁸⁵ Legal republican government before the war, and even during the war, did not in any way request from citizens to declare nationality or that their ethnicity be specifically demarcated. But because of the characteristic names, the citizens of Bosnia and Herzegovina who lived in the territory under the control of Serbian military and police forces often bought fake identification cards with Serbian names so they could escape the territory. With fake ID cards they were able to cross the "normal" border with Serbia because being of Serbian origin they had no problems entering the territory of the FRY.⁸⁶

In the presentation of the destiny of innocent people caught in the trap of the war, the author Svetlana Broz often carries the testimony of people who have found salvation from death in false documents and names changes, " (...) she had a recognizable Muslim name. He was in danger of being murdered in that Serb controlled area. So she got him a false identity card with a Serb name and they decided to escape with their children (...)"⁸⁷

The situation in Rwanda was completely different when it comes to the content of personal documents and similarly when it comes to being rescued from death changing documents. ID cards of Rwandans required the ethnicity of the owner,⁸⁸ despite the warnings;⁸⁹ they legalized division

⁸⁵Zakon o osnovnim podacima za ličnu kartu ("Službeni list SFRJ", broj 6/73) i Zakon o ličnoj karti ("Službeni glasnik SRS", br. 15/74, 54/77, 57/80, 45/85 i 40/88 i "Službeni glasnik RS", br. 53/93 - dr. zakon, 67/93 - dr. zakon, 48/94 - dr. zakon i 101/05 - dr. zakon).

⁸⁶"Pro Husa jsem nasla kontakt na nekoho, kdo mu udelal doklady na srbske jmeno. Odesel s nimi do Srbska, do Panceva. Podarilo se mi uhlidat i jeho byt, prestoze stale prichazeli a ptali se me: jsou tady Muslimove nebo Chorvate?" BROZ, Svetlana: *Good People in an Evil Time: Portraits of Complicity and Resistance in the Bosnian War*. Other Press, New York 2004, pp. 71.

⁸⁷BROZ, S.: c.d. pp 39.

⁸⁸"Name and Document form: *Carte d'identité, National ID card*; Year established: 1933, 1962; Status: *discontinued in 1996*. Categories and groups: "Ethnicity" ("*Ubwoko*" in Kinyarwanda and "*Ethnie*" in French) appeared immediately beneath the cardbearer's photograph as the uppermost item on page two of the Rwandan ID card. Four possible "ethnic" categories appeared with the issuing official striking a line through all but the applicable category, for example "*Ubwoko (Hutu, Tutsi, Twa, Naturalisé)*". FUSSELL, Jimby: *Ten Years Ago in Rwanda This Identity Card Cost a Woman Her Life*. not dated. In: Prevent Genocide International, <http://www.preventgenocide.org/edu/pastgenocides/rwanda/indangamuntu.htm> not paged.

and gave the "symbol" to every adult citizen. From such an ID card composition, danger arose.

*"(...)When the Hutu militias, the gangs of killers, began their genocidal massacres of Tutsis in April, they needed only to ask for identity cards to decide who lived and who were chopped or speared to death (...) A passport to life, or death - the Rwandan identity card can be either,"*⁹⁰ writes Richard Dowden.

At the same time, obtaining false documents in which the owner changed their ethical background meant salvation from death. *"The witness, a Hutu man known only as "Z.D.," told the court that contrary to the prosecution's allegations, Bagilishema made many efforts to help secure Tutsis."There were Tutsis who were hiding in his house, Tutsi women," witness Z.D. said. (...) He also distributed false ID cards indicating Hutu tribe for Tutsis to help them cross the road blocks and flee," he said (...).*⁹¹

Among the Rwandans are not any major physical differences or matter of prejudices because of the length of nose or height, therefore it is difficult to prove that the owner of the ID card is not that of person who holds the card. *"(...)AEU said prior to the genocide, Ngeze established a system through which people could be identified as Hutu or Tutsi, regardless of the ethnic community stated in their identity cards. Ngeze's system, AEU said involved militiamen inserting two fingers into the nose of someone suspected to be Tutsi. If the fingers fit the nose, the militiamen declared the person Hutu. If the fingers did not fit, the person was declared Tutsi. This is based on the stereotype that the Hutu are stocky and have wide noses while the Tutsi are tall and have pointed noses".*⁹²

⁸⁹*"In July 1991, NGOs strongly recommended removal of ethnicity from ID cards. Article 16 of the August 1993 Arusha Accords also required this action by the projected transitional government. ID cards were used to identify Tutsi victims for death during the 1994 genocide."* Ibid.

⁹⁰DOWDEN, Richard: *Identity Card Was Passport to Death*. Independent, 7 July 1994. <http://www.preventgenocide.org/prevent/removing-facilitating-factors/IDcards/sources.htm>

⁹¹*Accused Issued Fake Identity Cards To Minority Tutsi*. 3 May 2000. Internews ARUSHA, Tanzania, In: <http://www.preventgenocide.org/prevent/removing-facilitating-factors/IDcards/sources.htm>

⁹²KIMANI, Mary: *Witness Breaks Down during Testimony in "Media Trial"*. Internews Arusha , 26 June 2001, <http://www.preventgenocide.org/prevent/removing-facilitating-factors/IDcards/sources.htm>

So an ID card or name in both countries had been sufficient classification which separated the line between life and death.⁹³ However, even the changing of ID cards did not bring escape from death since the perpetrators of genocide were very committed to the idea of finishing their “mission” to the bitter end.

⁹³*“According to the prosecution, Nshamihigo supervised roadblocks in Cyangugu town, delivered weapons to kill the Tutsi and, at times, provided names of persons to be killed.”Sometime between 28 and 30 April 1994, Nshamihigo ordered the killing of the accountant of the prefecture [Cyangugu], a Tutsi who had managed to obtain a Hutu identification card,” the indictment reads”. Internews (Arusha) 29 June 2001, In: <http://www.preventgenocide.org/prevent/removing-facilitating-factors/IDcards/sources.htm>*

4. The third stage of EsoG theory: Dehumanization - This stage is where the death spiral of genocide begins⁹⁴

The Members of the “other” groups are not people, they do not have any human characteristics, they are just a useless waste of space. This could be a description of the content of the third level of genocide which the author of the ESoG theory characterizes as "Dehumanization".⁹⁵

It is human to resist the killings. In order to justify genocide and murders and to be accepted as "normal," the “others” and “different” may not look human and must have all human characteristics taken away. These murders of "nonhumans" become socially acceptable and normal. Modern psychologists define two forms of dehumanization and from that develop several psychological theories. *“Two forms of dehumanization are proposed, involving the denial to others of 2 distinct senses of humanness: characteristics that are uniquely human and those that constitute human nature. Denying uniquely human attributes to others represents them as animal-like, and denying human nature to others represents them as objects or automata”.*⁹⁶

⁹⁴STANTON, H. Gregory: *Could the Rwandan Genocide Have Been Prevented?* Journal of Genocide Research, 6, 2004, 2, pp. 215.

⁹⁵*“One group denies the humanity of the other group. Members of it are equated with animals, vermin, insects or diseases At this stage, hate propaganda in print and on hate radios is used to vilify the victim group. In combating this dehumanization, incitement to genocide should not be confused with protected speech. Genocidal societies lack constitutional protection for countervailing speech, and should be treated differently than democracies. Local and international leaders should condemn the use of hate speech and make it culturally unacceptable. Leaders who incite genocide should be banned from international travel and have their foreign finances frozen. Hate radio stations should be shut down, and hate propaganda banned. Hate crimes and atrocities should be promptly punished”.* STANTON, G. H.: *The 8 Stage of Genocide* not paged.

⁹⁶HASLAM, Nick: *Dehumanization: An Integrative Review.* Personality and Social Psychology Review, 10, 2006, 3, pp. 253.

These two forms of dehumanization were present in the cases of Rwanda and Bosnia. The denial of nationalities in Bosnia, which was mentioned in the first stage of genocide chapter, continued providing derogatory names or even disputing the whole humanity of Bosniaks. *„In this context, the symbolic geography of ‚the West versus the rest‘ (as per Huntington) becomes relevant. The tenets underlying this geography are, first, that ‚the West‘ is culturally superior to ‚the rest‘, and second, that Islam is not part of Western culture. With these points in mind, it is possible to understand why the Bosnian Serbs and Herzegovinian Croats need to establish that the ethnic Muslims of Bosnia are Islamic in culture. If they are not European, and if they are not European, they are inferior, thus justifying Serb and Croats demands for separation from them“.*⁹⁷ The Tutsi in Rwanda, in the government media, got animal nicknames and were therefore seized of any humanity. This will be discussed in the next section.

4. 1. Bosnian “Balijs” and Rwanda’s “Cockroaches”

In order to produce a favourable climate for the murder and persecution of people, the use of hate speeches is required, through which the target group of people will be "dehumanized." Local leaders, public figures or renowned scientists, using hate speeches, or even scientific research, can be justified by Western democracy as an expression of personal opinion, but still essentially discredits the target group.

The newspaper Kangula (which means “wake them up”), published in December 1990 the “Ten Commandments of the Hutu”. This Hutu power hate newspaper said that Tutsis are cockroaches, snakes, and “devils” who eat the vital organs of Hutus. This regularly expounded the myth that they had invaded Rwanda from Ethiopia. The “Ten Commandments” included the injunction that the Hutu should stop having mercy on the Tutsi

⁹⁷HALPERN, M. Joel – KIDECKEL, A. David: *Neighbors at War: Anthropological Perspectives on Yugoslav Ethnicity, Culture, and History*. University of Massachusetts Gallery, Amherst 1997, pp. 123.

or that the army should be exclusively Hutu and that officers should be prohibited from marrying Tutsi women. Cartoons and articles in Kangura referred to Tutsis, as well as twenty other extremist newspapers who also published regular hate propaganda against Tutsis.⁹⁸

As the country approached more democratic reforms and a joint society, propaganda and reports of extremists become stronger and fiercer. *“(...) the world inyenzi (“cockroaches”), is used frequently to describe the RPF and reports are full of claims that the army was damaged by the creation of a coalition government (...)the men are beginning to think that the cockroaches are their kind brothers who want to return and that we will live together in peace.”*⁹⁹

Some authors says that this ideology can be described as racist *“(...) the differences it highlights are declared to be racial ones by those concerned, and these differences are invested with dehumanizing notions. Indeed, the distinction between Hutu and Tutsi is considered to be one of races, with old myths of Tutsi as being of different, so-called “hamitic” race, backed up by sporadic “scientific evidence” on body size, blood, composition and stomach enzymes being repeated until today (...)*¹⁰⁰.

In propagating “scientific discoveries” through the “natural phenomenon” of ethnic cleansing, Serb biologist Biljana Plavšić¹⁰¹ rooted her conception of the Muslims as “genetically deformed” material. *“That’s true (i.e. that the Bosnian Muslims were originally Serbs). But it was genetically deformed material that embraced Islam. And now, of course, with each*

⁹⁸Summary from: KAKWENZIRE, Joan - KAMUKAMA, Dixon: *The Development and Consolidation of Extremist Forces in Rwanda 1990 – 1994*. In: ADELMAN, Howard – SUHRKE, Astri: *The path of Genocide: the Rwanda crisis from Uganda to Zaire*. Paperback, 2000, pp. 75-76.

⁹⁹MELVERN, Linda: *Conspiracy to Murder: The Rwandan Genocide*. Hardcover, UK 2004, pp. 34-35.

¹⁰⁰UVIN, Peter: *Prejudice, Crisis, and Genocide in Rwanda*. African Studies Review, 40, 1997, 2, www.jstor.org/stable/525158 pp. 99.

¹⁰¹„Biljana Plavšić participated in “a crime of the utmost gravity, involving a campaign of ethnic separation which resulted in the death of thousands and the expulsion of thousands more in circumstances of great brutality”. Her guilty plea (together with remorse and reconciliation), voluntary surrender, post-conflict conduct and age are substantial mitigating circumstances” Trial Chamber Sentences the Accused to 11 Years’ Imprisonment and Says That “No Sentence Can Fully Reflect the Horror of What Occurred or the Terrible Impact on Thousands of Victims. 27 February 2003. The International Tribunal for Former Yugoslavia, Press Release: <http://www.icty.org/x/cases/plavsic/press/en/PR734e%20The%20prosecutor%20v.%20Biljana%20Plavsic.pdf>

*successive generation this gene simply becomes concentrated. It gets worse and worse, it simply expresses itself and dictates their style of thinking and behaving, which is rooted in their genes (...)*¹⁰² and she is a respected biologist, with a good reputation as a university professor and expert.

Except in this “new” stereotype and idea of dehumanization of the Bosniaks, old stereotypes were being used, such as calling them “Turks,” and other derogatory names for Muslims in Bosnia such as *Balije*. “*Old derogatory names for members of different confessional groups in Bosnia and Herzegovina become extensively used during the war and sometimes acquired new meanings. The traditional derogatory word for a Muslim was Baliya, and in the war they were often referred to as Turci (Turks) in the Bosnian Serbs’ media.*”¹⁰³

But, at the height of the genocide, when the Serb military took control of Srebrenica, in the moment when the execution of thousands of Bosnians started, the commander of the RS Army in the city centre said: “*Here we are in the Serb Srebrenica on 11 July 1995, on the eve of yet another great Serbian feast, we present this town to the Serb people and finally the time has come to take our revenge on the Turks after the rebellion against the dahijas*”.¹⁰⁴

Thus, it can be said, through dehumanization we, the perpetrators, claim that we are only legitimizing the revenge on Turks after centuries of the occupation of Bosnia, or that they are just cockroaches, which are harmful to our Rwandan society and it is natural to kill them as in Bosnia it was to kill genetically deformed material. We are not doing anything

¹⁰²Biljana Plavsic for Svet, Novi Sad, 6 September 1993. In: INIC, Slobodan: *Biljana Plavsic: Geneticist in the Service of a Great Crim.* not dated, <http://www.barnsdle.demon.co.uk/bosnia/plavsic.html>

¹⁰³MAČEK, Ivana: *War Within: Everyday Life in Sarajevo Under Siege*. Uppsala Univerzity Library, Uppsala 2000, pp. 216.

¹⁰⁴*Begunci*. 2004. Film of the SENSE – TRIBUNAL which is a specialized project of SENSE News Agency based in International War Crimes Tribunal for the former Yugoslavia in The Hague. The focus of this project is regular, balanced and comprehensive coverage of the work of the ICTY, and the activities of ICJ (International Court of Justice) and ICC (International Criminal Court), <http://www.sense-agency.com/ba/multimedia/index.php?trans=36&multkat=2>

unnatural and inhuman, because they are not people. The goal is reached, dehumanization has fulfilled its role and genocide can continue on to higher levels.

5. The fourth stage of the EsoG theory: Organization

Implementing such a big crime is not easy. These are not random killings, but they are well planned and well prepared. Of course, all this requires excellent organization which the author of the ESOG theory sees as the fourth level of genocide and explains, “*Genocide is always organized, usually by the state, often using militias to provide deniability of state responsibility (the Janjaweed in Darfur.) Sometimes organization is informal (Hindu mobs led by local RSS militants) or decentralized (terrorist groups)*”.¹⁰⁵

Organization not only means good social and political infrastructure and access to larger financial resources, but cooperation with the media and sometimes churches and religious communities, ie organization usually takes years before the start of genocide because it is necessary to train people and to mark the target victims.

The analysis of the organization of genocide is possible only after its completion. To prove involvement of people and institutions in the organization of genocide, in the cases of Rwanda and Bosnia and Herzegovina, is carried out by international tribunals. They are in charge of prosecuting the crimes in those countries and as well as the domestic courts of Rwanda and Bosnia. It is noted that a few independent countries and courts gave sentences to war criminals from Bosnia and Herzegovina and Rwanda.¹⁰⁶ Therefore, for the analysts, the best source for studying

¹⁰⁵“*Special army units or militias are often trained and armed. Plans are made for genocidal killings. To combat this stage, membership in these 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*”. STANTON, G. H.: *The 8 Stage of Genocide* not paged.

¹⁰⁶“*For the first time since World War II, the court in Oslo is having it's first war crimes process involving a former citizen of Bosnia and Herzegovina (...) Specifically, in addition to the Hague tribunal and the courts in former Yugoslavia, only Germany and the United States have had similar processes. In the German Federal Court in Düsseldorf in 1997, Nikola Jorgić was condemned for the genocide committed in the territory of the municipality of Dobož and was given a life sentence in prison. DŽIDIĆ, Denis – AHMETAŠEVIĆ, Nidžara: Ratni zločini pred norveškim sudom. BIRN. 25 September 2008, <http://www.bim.ba/bh/134/10/13434/>*

the organization of genocide is the prosecution, testifications in courts and the contents of sentences given to war criminals. Thus, for example, Radoslav Brđjanin¹⁰⁷ was charged with involvement in the organizing and planning of a crime within the framework of the joint criminal enterprise, and was therefore sentenced to punishment.

„(...) In particular, the Appeals Chamber affirmed the Trial Chamber's conclusion about the nature of the Strategic Plan to create a Serbian entity from which most non-Serbs would be permanently removed; the authority of the ARK Crisis Staff over municipal authorities, including the Prijedor municipality; the relationship between the ARK and other bodies, such as the Bosnian Serb Army, the police, and the paramilitary groups; and the contribution of ARK Crisis Staff decisions to the dismissals, disarmament, and resettlement of the non-Serb population. The Appeals Chamber affirmed the Trial Chamber's findings that Brđjanin had knowledge of, and made a contribution to the Strategic Plan and that Brđjanin knew that crimes were being committed in furtherance of the Strategic Plan.

The Appeals Chamber granted the prosecution's appeals on questions of law dealing with Brđjanin's participation in a Joint Criminal Enterprise (JCE), his responsibility for acts committed by non-members of it and the scale of crimes to which the doctrine of JCE can be applied. It however, stated that these findings cannot result in new convictions for Brđjanin. Other appeals by the prosecution were dismissed(...).¹⁰⁸

The ICTY has a variety of materials and official records from governments meetings of warring parties which are used as evidence in war crimes trials. However, some of these materials are presented in closed court sessions and marked as "strictly confidential". In this analysis, the author will not deal with the circumstances under which the tribunal has received these documents and why they have the label of

"Justice Report' of the Balkans Investigative Reporting Network, BIRN, is the only news agency providing regular reports on war crime trials, while also being specialized in this field." - The Human Rights Center of the Sarajevo University.

¹⁰⁷ Brđjanin, a former political leader of the Serb-run Autonomous Region of Krajina (ARK) in north-western Bosnia and Herzegovina, was sentenced to 32 years' imprisonment on 1 September 2004. He was found guilty of crimes including persecutions, torture, deportations and forcible transfer committed against non-Serbs in Bosnia and Herzegovina, and particularly in the ARK during 1992. *The Tribunal's Appeals Chamber Today Sentenced Radoslav Brđjanin to 30 Years' Imprisonment*. 3 April 2007. The International Tribunal for Former Yugoslavia, In: Press Release: <http://www.icty.org/x/cases/brdanin/press/en/pr1151e.htm>

¹⁰⁸ Ibid.

confidentiality to avoid the thesis going in another direction. The author is presenting only the fact that these materials exist.

The chief editor of the Sarajevo magazine "BH Dani," Senad Pećanin, presented on the Croatia TV show, "Sunday at Two," protected documents from the Hague tribunal. According to him, these documents prove that the FRY had participated in organized crimes and genocide in Bosnia and Herzegovina. *"He showed a decree of FR Yugoslavia from 1994 in which the commander of the Bosnian-Serb army, Ratko Mladic, was raised to the rank of Lieutenant General. Also, Pecanin showed the paper stating that the Yugoslav Army Headquarters had evaluated the engagement of General Ratko Mladic as excellent with a grade of 4.88 (out of 5). In his opinion, this is proof that Mladić was on the payroll of the Yugoslav Army during the war in Bosnia, and that Serbia was deeply involved in the war and in the crimes and organization of the genocide in Srebrenica."* Pećanin condemned The Hague tribunal, because the document had been declared as protected, which denied access to the evidence to the International Court of Justice (ICJ) in The Hague, when previously requested.

Richard Butler, military expert, said at his testimony during the trial of Momir Pelemiš and Slavko Perić that the mass executions of civilians from the area of Srebrenica were a "well-organized and planned action.

"Many times I've said that all evidence suggests that the events from July 1995 in the area under the control of the Zvornik Brigade were not random, but well-organized. The connection between the police and army, and cooperation between the Zvornik and Bratunac battalion were efficiently established. This event was organized in accordance with the orders of from the military and political leadership of the RS - said Butler via video link at the trial of Pelemis and Peric. When you looked at the scope and size of the operations that had to be carried out for the executions, it is clear that the headquarters and the staff of the Zvornik brigade must have been well-informed and aware of what was happening. From a military point of view, we had buses and tractors, prisoners guarding soldiers and policemen, and everywhere were more than a thousand prisoners. Therefore, we are speaking about the complexity of the engineering, preparations for graves, as well as food and drinks for those who executed them" - said Butler.¹⁰⁹

¹⁰⁹Butler: *Nema sumnje da su starješine znale da je konačni cilj ubijanje ljudi*. 22 Februar 2010. In: FENA Newsagency in Dnevni Avaz, <http://www.dnevniavaz.ba/dogadjaji/iz-minute-u-minutu/butler-nema-sumnje-da-su-starjesine-znale-da-je-konacni-cilj-ubijanje-ljudi>

Concrete work in organization of genocide in Rwanda began by organizing and arming paramilitary militias, as well as purchasing additional conventional weapons for the army. Camps for training were secretly organized and led by officers of the Rwanda Army. Participants of the training camps were armed with weapons that were bought for the official army, ranging from kalashniks to machetes.¹¹⁰ *“Between 1990 and April 1994, Rwanda spent an estimated \$112 million on arms, making it the third largest arms purchaser in Africa (...) The Egyptian government (...) sold \$5.9 million in ammunition, rifles, mortar bombs, rockets, and rocketlaunchers to Rwanda (...) it was the organization of extremist militias, however, that marked the organizational turn toward genocide (...)”*¹¹¹ The regime wanted to give a legal form of organization through "self-defense" units to some of these paramilitary groups who were allegedly supposed to support the army in the defense smaller territories. *“(...) But others, perhaps concerned that the militia were too tainted by partisan rivalries, proposed a “civilian self-defense force” which was to recruit young men through administrative rather than party channels. The recruits were to be trained by former soldiers or communal police who would direct them in attacking the “enemy” in their communities (...)”*¹¹²

Some authors, such as the previously mentioned Melven or Kamukama and Kakwenzire, present specific data giving information about which countries gave armament and technical assistance to the Rwandan army. There is no evidence that the governments of these countries, Egypt, France and South Africa, knew about the organization of genocide and it is highly unlikely that they could have been involved at all.¹¹³

Genocidal activities are not random and require large efforts and organization down to the last detail because later on, society should be

¹¹⁰ *Arming Rwanda - The Arms Trade and Human Rights Abuses in the Rwandan War*. 1 January 1994, In: Human Rights Watch, <http://www.unhcr.org/refworld/docid/3ae6a7fc8.html>

¹¹¹ MELVEM, Linda: *A People Betrayed. The Role of the West in Rwanda's Genocide*. Zed Books, London 2000, pp. 31, 32, 67.

¹¹² DESFOGES, Alison: *Leave None to Tell the Story Genocide in Rwanda*. March 1999, <http://www.grandslacs.net/doc/1317.pdf> pp. 9.

¹¹³ *Arming Rwanda - The Arms Trade and Human Rights Abuses in the Rwandan War*.

able to continue functioning without "them" and without the international community becoming aware of any questionable activities. „*Authorities, military, administrative, and political, engaged in deception with three objectives in mind: they wanted to confuse foreigners in order to avoid criticism and perhaps even to win support; they wanted to mislead Tutsi to make it easier to kill them; and they wanted to manipulate Hutu into participating energetically in the genocidal program. Sometimes a given stratagem served more than one purpose and misled two or even all three target audiences at once. The whole effort of deception was remarkably coherent, with diplomats abroad proclaiming the same lies as those told at home and with officials and politicians using the same pretenses in widely separated communities at the same time.*“¹¹⁴

As we have seen in this chapter this was the case in both countries, where much time and effort were put into the organization and planning of these crimes. The activities in the organization and disguising of genocide bring us to its fifth phase, "Polarization."

¹¹⁴DESFOGES, A.: *c.d.* pp. 192.

6. The fifth stage of the EsoG theory: Polarization - If you are not with us, you are against us

As genocide enters its fifth phase, its implementation begins to be more difficult. The moment of the final execution of the “others” is closer so organizers mobilize more fundamental elements. They fully engage the media, who then proceed to produce open hate propaganda. The organizers eliminate possible opponents of genocide among their own people and legalize the divisions in society. *“Extremists drive the groups apart. Hate groups broadcast polarizing propaganda. Laws may forbid intermarriage or social interaction. Extremist terrorism targets moderates, intimidating and silencing the centre. Moderates from the perpetrators’ own group are most able to stop genocide, so are the first to be arrested and killed.”*¹¹⁵

To dominate the media scene and stop any kind of information that could stop the genocide in Bosnia and Herzegovina, planners began taking control of BiH radio-television transmitters. Their signal was switched to TV Belgrade, which was entirely supported by the Serbian regime.¹¹⁶

¹¹⁵*“Prevention may mean security protection for moderate leaders or assistance to human rights groups. Assets of extremists may be seized, and visas for international travel denied to them. Coups d’état by extremists should be opposed by international sanctions.”* STANTON, G. H.: *The 8 Stage of Genocide* not paged.

¹¹⁶*„The SDS wanted Serb-only programming, with no opposing points of view, so they moved to take over the Bosnian TV transmitters by force. On August 1, 1991, eight months before the war in Bosnia began, Serb paramilitary supported by the Yugoslav Army seized a transmitter on Kozara mountain between Banja Luka and Prijedor. This effectively cut off from the Sarajevo TV signal a wide territory that included ethnically mixed towns, instead, viewers were directed toward Belgrade. After that, it was all Milosevic all the time. Constant war propaganda divided Serbs and Muslims who had lived together peacefully (...) Belgrade TV rhetoric concerning „threatened people“, „the reawakening of the Ustasha“, „national survival“, „the Croat – Muslim conspiracy“, and „the Islamic threat“ replaced the traditionally balanced reporting of Sarajevo TV, gradually separating long-standing neighbours and even close friends (...) „this is a terror“ said Sena Kurtovic (...) „even older people feel marked as enemies just because of their religion or name. We miss our TV so much“. She was abruptly interrupted by the voice of a woman who had obviously been monitoring her telephone: „We’ll soon send all of you Ustasha where you belong!“* KURSPAHIĆ, Kemal: *Prime Time Crime: Balkan Media in War and Peace*. The Endowment of the United States Institute of Peace, Washington 2003, pp. 98.

Serbian TV, especially stations in Bosnia, presented war information as a "release" of the country from foreign elements. This information being what the Western media has marked as "ethnic cleansing," and covered it with with footage of Bosniak concentration camps and news about the mass rapes, mass executions and plundering of the territories that fell under the control of the Serbian Army. *"Pale TV editor Risto Djogo was most memorable for his primitive hatred of Bosnian Muslims (...) he sporting a long knife and saying, "and this is what we have for our former neighbours Baliije (derogatory term for Muslims). "he would keep his bare feet in a pan of water, ridiculing a Muslim ritual before prayer (...) on the occasion of the massacre of civilians in the Sarajevo market place in February 1994, he finished his report by lying on the editorial desk, posing as a fake victim of shelling and exhibiting a traditional Serb three-finger salute as a symbol of "Serb victory" (...) he was the first one who openly told Croats and Muslims with a smile on his face, that Chetniks don't aim to subjugate them but to exterminate them".*¹¹⁷

The victims of polarization, as the fifth stage of genocide, were not only holders of the truth but oppositional thinkers who opposed genocide and ethnically belonged to the group leading the genocide. Serb TV accompanied a news report about a meeting in Geneva, attended by member of the Bosnian Presidency, Tatjana Lujic – Mijatovic, with footage from a pornographic movie suggesting the immorality of her remaining, as a Serb, loyal to Bosnia.¹¹⁸ Evidence of similar incidences were also found in Rwanda. The fifth stage of genocide was not missed this country either. One of the first victims of genocide was not Tutsi but a Hutu women. She was the minister of Education in Rwanda's government and died because she wanted to prevent the organizing of genocide. *"I was heartbroken at Madam Agathe's death. She loved her nation and people and wanted a democratic future for them. And for that she was dead."*¹¹⁹

¹¹⁷Ibid, pp. 101-102.

¹¹⁸KURSPAHC, K.: c.d. pp. 101.

¹¹⁹DALLAIRE, Romeo: *Shake Hands with the Devil*. Rendom House, Canada 2003, pp. 246.

Two favourite targets of the most radical Radio Television Libre Mille Collines (RTLM) and Umurangi newspapers were Agathe Uwilingiyimana and the moderate thinking Joseph Kavaruganda, president of the Supreme Court of Appeal. Both were eventually violently murdered.¹²⁰

Two others Hutus who were specifically targeted by RTLM were a primary school teacher Andre Gasesero and a tradesman Zacharia Serubyobo. Because of this they were later massacred. For the RTLM, the only thing almost as bad as a Tutsi was a *“Hutu who does not remember (...) RTLM broadcasts inciting violence against them, particularly because they had good relations with their Tutsi neighbours (...) they become so hated as a result of RTLM’s broadcasts that even their valuables were destroyed after they were killed.”*¹²¹

In this stage the adjective “hate” is added to propoganda which then defines the “enemy”. They are labelled and assassinated. The situation evolves into “us versus them” and if you are not with us, you are against us. Anyone who wants to negotiate peace is marked as traitor and becomes no different from “them”. Therefore they must also be eliminated because there is no acceptable “intermediate” solution which came from moderate thinkers.

¹²⁰*“Umurangi frequently published cartoon portraying Prime Minister Agathe Uwilingiyimana as a prostitute or sexual object and other opposition political leaders as dogs. In Rwanda culture a person considered dishonest, untrustworthy, cowardly and corrupt is usually labelled “imbwa” or dog.”* THOMPSON, Allan: *The Media and the Rwanda Genocide*. Statement by ANNAN Kofi. Pluto Press London, Fountain Publishers, Kampala 2007, pp. 75.

¹²¹ Ibid, pp. 322.

7. The sixth stage of the EsoG theory: Preparation

“Victims are identified and separated out because of their ethnic or religious identity,” explains the author of the EsoG theory in the beginning of the description of the sixth stage of genocide and continues: *“Death lists are drawn up. Members of victim groups are forced to wear identifying symbols. Their property is expropriated. They are often segregated into ghettos, deported into concentration camps, or confined to a famine-struck region and starved”*.¹²²

The seizing of property in Rwanda began with the period of its independence in the early 1960s. After the colonial rule, the Hutu majority came to power and began to seize property from the Tutsi refugees who, in fear of reprisals and the beginning of guerrilla fighting, began leaving the country. *“The late 1950s ushered in a period during which a whole set of measures were implemented which aimed at dispossessing the Tutsi of their goods and depriving them of their economic and social rights (...) the new political leaders of the country distributed, or divided amongst themselves, the refugees’ possessions, their lands, their cows, their furniture and their real estate.”*¹²³

Years before genocide began, peasants believed they were brought down by Tutsi oppression. *“(...) the cohesion of oppression was the root of Hutu power. The genocide was legitimated as redistributing Tutsi property. Only 30 percent of respondents admitted taking property during the genocide, usually just food, tiles, or other abandoned bits and pieces. But of course they might*

¹²²*“Death lists are drawn up. Members of victim groups are forced to wear identifying symbols. Their property is expropriated. They are often segregated into ghettos, deported into concentration camps, or confined to a famine-struck region and starved. 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. Otherwise, at least humanitarian assistance should be organized by the U.N. and private relief groups for the inevitable tide of refugees to come”*. STANTON, G. H.: *The 8 Stage of Genocide* not paged.

¹²³MUKIMBIRI, Jean: *The Seven Stages of the Rwandan Genocide*. Journal of International Criminal Justice, 3, 2005, 4, <http://jicj.oxfordjournals.org/cgi/reprint/3/4/823> pp. 830.

*have been lying to allow their families to continue enjoying the fruits of their looting (...) some radicals feared that localst would just pillage and go home, so they urged “Kill first and pillage later“(…). Those who killed say that the properties of the victims belong to them (...) village officials organized a lucky dip. The victims’ properties were listed on pieces of paper and put in a hat. Every Hutu had to draw out a lot so that everyone would be implicated”.*¹²⁴

In the sharing of property between "their" people, the planners of genocide were in fact sharing responsibility with a wider group of people. They involved as many ordinary citizens as possible, to ensure their own alibi. "Nothing was done for my self but for my people," and people involved in taking property also took part in the crime and thus helped the development of the next stages of genocide, "execution" and "denial." The dead will not ask for property back and, because nothing happened, "this was and should always have been our property".

That genocide needs thorough preparation, testifies to the fact that armed groups in both countries had prepared lists with the names of their future victims, taking into account who, when and where to kill. On the list of who was to be shot, among the first were the intellectual and economic elite that were the part of nation who pulled people toward progress.

*“Muslim survivors report that through-out Bosnia in 1992 Serb militias used prepared lists to eliminate the wealthy, the educated, religious leaders, government officials, and members of the Bosnian Home Guard or of the (Muslim) Party of Democratic Action”.*¹²⁵

This step was used by organizers as propoganda to spread fear of the “others” among their own people. They use intimidation via methods, such as the death lists, that were in fact prepared for the “others.” „Once the conflict reaches the level of large-scale violence, tales of atrocities-true or invented-perpetuated or planned against members of the group by the ethnic

¹²⁴MANN, Michael: *The Dark Side of Democracy: Explaining Ethnic Cleansing*. Cambridge University Press, UK 2005, pp. 467.

¹²⁵GUTMAN, Roy: *Witness to Genocide*. Macmillan Publishing Company, New York, 1993, pp. 51. 94. 109-110. 139.

enemy provide hard-liners with an unanswerable argument. In March 1992 a Serb woman in Foca in Eastern Bosnia was convinced that "there were lists of Serbs who were marked for death. My two sons were down on the list to be slaughtered like pigs. I was listed under rape." The fact that neither she nor other townspeople had seen any such lists did not prevent them from believing such tales without question".¹²⁶

"Before the ethnic cleansing and systematic rape of Bosnian – Muslim women began, Serbian propaganda increasingly focused on inflaming the idea that the Ottomans, now symbolized by the Bosnian Muslims, would retur".¹²⁷

Similarly, authors of genocide studies in Rwanda remarked: "We began to get more disturbing phone calls reporting that elements of the Presidential Guard, the army, the Gendarmerie and the Interahamwe were going from house to house with a list of names. Shots and screaming had been heard."¹²⁸

Thanks to detailed preparations, the perpetrators of genocide were able to separate the target group of citizens and move them from their homes into one place. Perpetrators call them "work camps" or "refugee camps" but in essence the life and work in them did not differ much from the concept of Nazi concentration camps.¹²⁹

¹²⁶ KAUFMANN, Chaim: *Possible and Impossible Solutions to Ethnic Civil Wars*. The MIT Press, 20, 1996, 4, www.jstor.org/stable/2539045 pp. 142.

¹²⁷ SHATZMILLER, Maya: *Islam and Bosnia: Conflict Resolution and Foreign Policy in Multi-Ethnic States*. McGill-Queen's University Press, London 2002, pp. 95.

¹²⁸ DALLAIRE, R.: c.d. pp. 231.

¹²⁹ „(...) during the early morning hours of 30 April 1992, Bosnian Serb police and army forces seized physical control of the town of Prijedor. Following the forcible take-over of Prijedor, the Crisis Staff imposed severe restrictions on all aspects of life for non-Serbs, principally Bosnian Muslims and Bosnian Croats, including movement and employment. According to the Indictment, Bosnian Serb authorities in the Prijedor municipality unlawfully segregated, detained and confined more than 7,000 Bosnian Muslims, Bosnian Croats and other non-Serbs from the Prijedor area in the Omarska, Trnopolje and Keraterm camps between May and August 1992. It is alleged that interrogations were conducted on a daily basis at the Omarska and Keraterm camps. Severe beatings, killings as well as other forms of physical and psychological abuse, including sexual assault, are alleged to have been commonplace at the Omarska and Keraterm camps. In addition, the Omarska and Keraterm camps also operated in a manner designed to discriminate and subjugate the non-Serbs by inhumane acts and cruel treatment. These acts included the brutal living conditions imposed on the prisoners“.

Željko Meakić Transferred to the ICTY detention Unit. 27 February 2003. The International Crime Tribunal for ex Yugoslavia – ICTY, Press Release, Factual allegations, The crimes enumerated in

“(...) On July 19, Newsday’s Roy Gutman published the first article about Bosnian Serb-run concentration camps, giving the first mention of names that would become notorious: Omarska, Keraterm, Trnopolje, and Manjača. Bosnian Serb leader Radovan Karadzic denied that his forces were operating concentration camps. On August 6, Penny Marshal of ITN took Karadzic up on his rash offer to let journalists visit Omarska, and beamed chilling pictures around the world of emaciated Bosnian prisoners behind barbed wire. “It looked like the Holocaust”, says a senior Bush administration official. “Nobody pretended not to know”.¹³⁰

“(...) the world’s television networks (...) broadcast in early August footage of Bosnian Serb troops holding emaciated Muslims, most of them civilian men, in concentration camps. The prisoners in these camps were being starved and denied water and medical treatment, beaten to death, shot by firing squads, and made to mutilate and kill each other (...).”¹³¹

Preparation should be perfect because genocide needs involvement of many individuals. All of them should be ready and willing to act violent and, without any doubt, believe in the “final solution.” *“Any comparative analysis of genocide risks being overwhelmed by an incomprehension of how “ordinary” people can become willing agents of a nationalist policy that demands killing defenceless women and children (...) genocidal acts are signalled geographically throughout the plans or their instigators, the patterns of ethnic cleansing, and, ultimately, the ruins where communities once thrived. Apart from murder and expulsion, the perpetrators of genocide also attempt to eradicate the targeted group’s cultural presence on a landscape (...) it is the destruction of place – not just the built environment, but the cultural attachments to it – that leaves the targeted community adrift in an otherwise “centreless” modern world (...) genocide in this way creates its own transgenerational landscape of fear (...)”¹³².*

the Indictment were within the object a of the joint criminal enterprise, which operated within the Keraterm and Omarska camps. Željko Meakić, Momčilo Gruban, Dušan Fuštar, Predrag Banović and Duško Knežević each, allegedly, had the state of mind necessary for the commission of each of the crimes:

<http://www.icty.org/x/cases/mejakic/press/en/PR767e%20Zeljko%20Meakic%20Transferred%20To%20The%20Icty%20Detention%20Unit.pdf> pp. 1.

¹³⁰ BASS, Gary Jonathan: *Stay the Hand of Vengeance – the Politics of War Crimes tribunals*. Princeton University Press, USA 2000, pp. 210.

¹³¹ SUDETIC, Chuck: *Blood and Vengeance: One Family’s Story of the War in Bosnia*. W.W. Norton and Company, New York 1998, pp. 126.

¹³² WOOD, William B.: *Geographic Aspects of Genocide: A Comparison of Bosnia and Rwanda*. New Series, 26, 2001, 1, www.jstor.org/stable/623145 pp. 70.

At this level, as the EsoG theory's author claims, the preparational plans are made and trial massacres are conducted in order to test if there will be any denunciations or sanctions or any kind of legal or institutional responses against criminals. *"If the murderers get away with their crimes, if there is impunity, it is a green light to finish the genocide"*.¹³³

¹³³*"The trial massacres began in Rwanda soon after the Rwandan Patriotic Front invaded. Hutus slaughtered 300 Tutsi civilians in Kabirira in October 1990. In January 1991, 500 to 1000 Tutsi were murdered in Kinigi. In March 1992, 300 Tutsi were massacred by Hutu militias in Bugesera. No one was ever arrested for these crimes, and there were no demands from international diplomats for such arrests"*. CAPLAN, Gerald: *Rwanda the Preventable Genocide*. The Report of the International Panel of Eminent Personalities to Investigate the 1994 Genocide in Rwanda and the Surrounding Events, Organization of African Unity, 1998. In: STANTON, H. Gregory: *Could the Rwandan Gnocide Have Been Prevented?* In: *Journal of Genocide Research*, 6, 2004, 2, pp. 214.

8. The seventh stage of the EsoG theory: Examination

“Extermination begins and quickly becomes the mass killing legally called ‘genocide.’ It is ‘extermination’ to the killers because they do not believe their victims to be fully human.”¹³⁴

On April 6, just several hours after of the crash of the Presidential plane carrying the Rwandan President, the genocide’s mass murder began. This plane crash was an excuse and signal for the start of mass murder in Rwanda. Till now is not clear under which circumstances the plane crashed. Was it shot down by Hutu extremists who were trying to find reason for the elimination of Tutsis or was it an accident?¹³⁵ Despite question, it is clear that genocide was well prepared for and took the lives of 800,000 victims. *“In just 3 months, more than 10 per cent of the general population and approximately 75 per cent of the Tutsi ethnic minority population were killed.”¹³⁶*

¹³⁴*“When it is sponsored by the state, the armed forces often work with militias to do the killing. Sometimes the genocide results in revenge killings by groups against each other, creating the downward whirlpool-like cycle of bilateral genocide (as in Burundi). At this stage, only rapid and overwhelming armed intervention can stop genocide. Real safe areas or refugee escape corridors should be established with heavily armed international protection”.* STANTON, G. H.: *The 8 Stage of Genocide* not paged.

¹³⁵*„Hutu extremists shot down the plane carrying former President Juvenal Habyarimana, whose assassination marked the start of the 100-day genocide in 1994, a government report said on Monday. The probe, set up by President Paul Kagame, said members of Habyarimana’s inner circle planned his murder months before to scuttle a power-sharing deal with then-rebel Kagame and used it as a pretext for killing 800,000 Tutsis and moderate Hutus.” (The) assassination of Rwandan President Habyarimana was the work of Hutu extremists who calculated that killing their own leader would torpedo a power-sharing agreement known as the Arusha Accords,” it said. Habyarimana was returning from peace talks in Tanzania accompanied by his Burundian counterpart and was due to swear in a transitional government and begin integration of Kagame’s forces into the national army, the report said. Mystery surrounding Habyarimana’s murder has spawned a number of investigations in the past that have aroused international controversy. In 2006 French judge Jean-Louis Bruguière accused Kagame’s largely Tutsi-dominated Rwandan Patriotic Front (RPF) of shooting down the plane”.* HOLLAND, Hereward: *Rwanda Says Hutu Radicals Killed President in 1994*. Reuters, 11 January 2010, <http://af.reuters.com/article/worldNews/idAFTRE60A19H20100111>

¹³⁶VERWIMP, Philip: *Death and Survival During the 1994 Genocide in Rwanda*. Population Studies, 58, 2004, 2, www.jstor.org/stable/4148232 pp. 1.

In Bosnia, the latest data shows, that the war from 1992 to 1995 took 97,207 lives.¹³⁷ When it came to the ethnicity of victims, most of them were Bosniaks - 64,036 or 65.88 percent. The second number highest account of victims were Serbs, in which 24,905 (25.62 percent) were killed, while the number of dead and murdered Croats were 7,788 or 8.01 percent. Of the total number of BiH citizens who died, 57,000 or 59.1 percent were soldiers, and almost 40,000 civilians. The total number of Bosniak civilian victims were more than 83 percent, 10 percent Serbs and Croats 5.45 percent. The region suffering the greatest recorded loss was the region of Drina, where nearly 30,000 people died. Following that are the areas around the river Una and in Sarajevo with 14,000 victims, while around the Sava River was about 12,000.¹³⁸ From the presented number of victims, it is clear that of the total number of civilian casualties of war were more than 80% Bosniaks, while the Serbian civilian casualties were around 10%. From this we can conclude that Serbian civilians were not

¹³⁷ "In the period from 1991 to 1995, 97,207 citizens of Bosnia and Herzegovina were killed as a direct result of armed conflict, according to a survey conducted by the NGO Research and Documentation Center in Sarajevo (IDC). Presenting the results of the research, director of IDC's Mirsad Tokaca said that the data on the direct victims of armed conflict has been collected for more than three years, were compared with a number of previously existing numbers in the database and checked all available sources." *Istraživačko-dokumentacijski centar: Od '91. do '95. u BiH ubijeno 97 tisuća ljudi.* 21. July 2006. In: Portal Jutarnji hr, <http://www.jutarnji.hr/istrazivacko-dokumentacijski-centar--od--91--do--95--u-bih-ubijeno-97-tisuca-ljudi/179306/>

¹³⁸The Bosnian Atlas of War Crimes is a Geographic Information System (GIS) which uses Google Earth technology and presents the facts about the 1992-1995 war in the territory of Bosnia and Herzegovina in an innovative and unconventional way. At the same time, the Atlas has an educational purpose because it offers access to the facts on mass murders, rapes, victims of war, court verdicts, as well as access to the data on destruction of religious, cultural and historical heritage of Bosnia and Herzegovina. The Atlas also presents a digital memorial for all victims of the recent war no matter their ethnic, religious, political and social affiliation. On a digital map of Bosnia and Herzegovina, researchers, scholars and anyone who is interested can access to information from the RDC Database and another resources about locations of mass murders, rapes, destruction, as well as information about the war events in every part of Bosnia and Herzegovina.
The Bosnian Atlas of War Crimes. 12 February 2010. In: The Research and Documentation Center Sarajevo, http://www.idc.org.ba/index.php?option=com_content&view=category&layout=blog&id=112&Itemid=144&lang=bs

being directly targeted, whereas with the percentage of Bosnian civilian victims, we can conclude that they were the main target of war.

“Serbs actions early in the war – including ethnic cleansing, the executions of leading Muslims in the Prijedor region, mass rape, and other atrocities – gave rise to the charge the Serbs had committed genocide against the Muslims of Bosnia. This charge was sustained by actions committed right up to the closing weeks of the fighting, above all by the killings at Srebrenica in July 1995 (...) The case for genocide rests on the fact that killing, rapes, and other abuses against the Muslim civilian population correspond to activities described in the UN Genocide Convention (...) Available evidence makes it clear that Serb forces carried out sustained or continuous attacks against the Muslim civilian population from the beginning of the war in 1992 right through the takeover of the Srebrenica enclave. It appears unquestionably to be the case that the victims of killing were selected because they were Muslims even though, as we had noted, violence was applied even to ethnic Serbs who refused to submit (...)”¹³⁹

Perhaps the largest group to see indications of Serbian atrocities around Srebrenica were women and peacekeepers who made up the convoys to Kladanj, say in *Srebrenica, record of a War Crime* authors Honig and Both and continue *“They reported seeing large groups of captured Muslim men as well as hundreds of dead bodies (...) others had their hands behind or above their heads”*.¹⁴⁰

Therefore it can be said that *“(...) the period from 1992-1995 involved bestiality, rape, torture and murder, in short, genocide against Muslim civilians in Bosnia Herzegovina by Bosnian Serbs (...)”*¹⁴¹

¹³⁹BURG, Steven L. – SHOUP Paul S.: *The War in Bosnia-Herzegovina: Ethnic Conflict and International Intervention*. M.E. Sharpe, Inc. 2000, pp. 181. 183. 184.

¹⁴⁰ HONIG, J. Willem – BOTH, Norbert: *Srebrenica: Record of a War Crime*. Penguin Books, London 1996, pp. 53.

¹⁴¹ MARCHAK, Patricia M.: *Reigns of Terror*. McGill-Queen’s University Press, 2003, pp. 263.

9. The eighth stage of the EsoG theory: Denial – never happened

The last stage of the EsoG theory is denial. “They not we, killed themselves,” “it's all overstated,” “the myth and propaganda spread by the enemies of our people and country,” these are all phrases used by perpetrators of genocide to stop any discussion, action, investigation, or anything that would lead to the discovery of the full truth about the victims and their deaths. *“The perpetrators of genocide dig up the mass graves, burn the bodies, try to cover up the evidence and intimidate the witnesses. They deny that they committed any crimes, and often blame what happened on the victims. They block investigations of the crimes, and continue to govern until driven from power by force, when they flee into exile.”*¹⁴²

As the author I can say that the denial of genocide, in fact, is its continuation. Genocide has not ended with execution but continues with denial, and therefore denial is described as one of the stages of genocide. At this stage, the denial of genocide, its perpetrators, in fact, kill survivors.

The ICTY after eleven years has finally gotten a main suspect for genocide in BiH, the SDS leader Radovan Karadzic. At the formal beginning of the trial, Karadzic shocked the world with which defence methodology he used. The main world newspapers and commentators distributed his introduction statements.

„While dismissing the charges against him, he failed to address any of the specific 11 counts, ranging from the mass murder at Srebrenica to the 43-month siege of Sarajevo carried out by forces under his command, from the hostage-taking of more than 200 UN soldiers to the mini-gulag of camps his subordinates

¹⁴²“(…) there they remain with impunity, like Pol Pot or Idi Amin, unless they are captured and a tribunal is established to try them. The response to denial is punishment by an international tribunal or national courts. There the evidence can be heard, and the perpetrators punished. Tribunals like the Yugoslav or Rwanda Tribunals, or an international tribunal to try the Khmer Rouge in Cambodia, 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”. STANTON, G. H.: *The 8 Stage of Genocide* not paged.

erected in the summer of 1992 where thousands of Bosnian Muslims died. The latter brought a brazen denial. The Muslim and Croat inmates of Trnopolje camp in the summer of 1992 near the purged town of Prijedor were "free people" who were managing their own "collection centre" after having run away from the war and finding themselves stranded. He went on to specifically attack ITN and the Guardian, which broke the story of these camps in the summer of 1992, reporting on scenes of emaciated men imprisoned behind barbed wire. Karadzic said the journalists, Penny Marshall and Ed Vulliamy, had abused his hospitality. He had flown them from London to north-west Bosnia to inspect the camps and they had wilfully distorted what they found there. He alleged that the reporters had entered a storage area secured behind barbed wire and filmed "three people" on the other side, making it look as if they were incarcerated. "I don't know how Penny Marshall can sleep," he said. The four-hour performance – Karadzic defending himself with the help of legal assistants – was a long history lecture dwelling on the perennial victimhood of the Serbs, with the villains ubiquitous and formidable – Bosnian Muslim jihadists; Croatian fascists; the Turks reassembling an Ottoman empire; the Germans victoriously completing in 1991 what they started in 1941 with the Nazi occupation of Yugoslavia; Nato; the Americans; the Vatican. What Karadzic and his cohorts were stopping was the "Green Transversal" – the alleged Bosnian Muslim role helping to establish an Islamist caliphate from "the Great Wall of China to the Adriatic". For veteran Balkan-watchers, it was a blast from the past, a rerun of the paranoia and propaganda that was the nightly staple diet on Serbian state television throughout the 1990s (...)"We were accused of firing indiscriminately at Sarajevo, but the targets were legitimate targets," he told the court. The 64-year-old accused Bosnian Muslim forces of shelling their own people as part of a "cunning" trick aimed at bringing Nato forces into the conflict against Bosnian Serbs. "They killed their own people," Karadzic said as he again accused Bosnian Muslims of staging the Markale market massacre, in which 68 civilians were killed and 200 wounded on 5 February 1994.¹⁴³

As the ESoG theory is applicable in general and its principles derived primarily from long-term analysis of genocide, it is clear that the last stage of genocide is recorded in Rwanda too. Rwanda, the same as in the case of BiH, had all the other elements of the theory. Despite a much higher rate of casualties in a much shorter time period than in Bosnia, Rwandan genocide continued to its eighth stage, denial.

"Hutu perceive the current situation as massive political and ethnic oppression, since tens of thousands of their families are directly affected by the detentions, despite the fact that they insist on their innocence and in any event should be considered innocent until proven guilty. Hutu radicals who still claim to speak for Hutu in Rwanda refuse to acknowledge even that there was a genocide: a civil war in which both sides committed atrocities, yes; Tutsi-inflicted genocide, in which Hutu were the victims, yes; perhaps even genocide by both sides. But denial of the one-sided genocide of April to July 1994 remains an

¹⁴³ TRAYNOR, Ian: *Karadzic Opens Defence with Retelling of History*. The Guardian, 2 March 2010, <http://www.guardian.co.uk/world/2010/mar/02/radovan-karadzic-defends-bosnian-war>

unshakeable article of their faith. Accordingly, there is no need for collective atonement or for individual acknowledgement of culpability."¹⁴⁴

The act of denial helps not only the people accused of genocide, but sometimes the civilian population simply does not want to accept the fact that their nation has played the role of executors and committed such horrendous crimes. They feel much better when they believe that they are victims. „Most of those returning at first would not recognize that there had been a genocide, or if there been one, they would claim that the Hutus were its victims. On the other side the Tutsi population was totally obsessed with the experience of the genocide and the collective guilt of the Hutu race (...)"¹⁴⁵

In the annex of this thesis is the summary of the denial of genocide in Srebrenica. In this chapter we will present only a short section before finalising this thesis with a logically derived conclusion.

*„Denial of the Srebrenica genocide takes many forms. The methods range from the brutal to the deceitful. Open deniers, such as Srdja Trifkovic, refer most often to the video of a Skorpion unit executing six Bosniak youths. In their interpretation, the video is a manipulation that does not in itself prove that genocide took place in Srebrenica, nor that seven or eight or ten thousand people were killed there (...)The line of denial propagated by Emil Vlajki has found a warm reception among Serbian deniers. In his text ‘Srebrenica as a metaphor’, Vlajki writes that ‘the evidence for the alleged massacre was and remains inadequate’, but that the propaganda conducted by the US ‘military-political complex’ has nevertheless ‘done its work’, so that ‘Srebrenica has become one of the greatest of twentieth-century myths’, in which ‘the Serbs are blamed for the worst massacre committed in Europe since the time of Hitler’. Vlajki blames the propaganda of the US ‘military-political complex’(...)Milivoje Ivanišević, a publicist and ‘researcher’ into war crimes in Bosnia, likewise insists in his book *Traganje za istinom* [Search for Truth], which he presented in 2008 at the University of Niš law faculty, that no genocide occurred in Srebrenica: ‘Ever since 11 July 1995, when the Serbs made a forced return to Srebrenica, in return for their own forced expulsion from there, stories started to circulate about a large number of Muslims, above all innocent Muslim civilians, old people, women and children, killed there.’"¹⁴⁶*

¹⁴⁴SARKIN, Jeremy: *The Tension Between Justice and Reconciliation in Rwanda: Politics, Human Rights, Due Process and the Role of the Gacaca Courts in Dealing with the Genocide*. Journal of African Law, 45, 2001, 2, <http://www.jstor.org/stable/3558953> pp. 150

¹⁴⁵WAUGH, Colin M.: *Paul Kagame and Rwanda: Power, Genocide and Patriotic Front*. McFarland, North Carolina 2004, pp. 123.

¹⁴⁶BISERKO, Sonja – BECIREVIC, Edina: *Genocide Denial vs Normalisation in the Balkans*. 24 October 2009. In: BH Dani, Sarajevo. Sonja Biserko is president of the Helsinki Committee for Human Rights in Serbia. Edina Becirevic teaches at the Faculty of Criminology and Security

Conclusion

This thesis is a study of genocide in Rwanda and Bosnia and Herzegovina through the theory of the "Eight Stages of Genocide". The primary goal of this work was to apply the theory of the "ESoG" in the cases of Rwanda and Bosnia and to show that this theory can be projected to any genocide no matter if genocide happens in small areas, with a small number of victims, or if in larger areas, with a larger number of victims. This was successfully achieved through the application of this theory in each chapter by dealing with one stage of the theory per chapter. Within these stages were individual segments which were identified and connected to certain events that occurred in both Bosnia and Rwanda and these were able to be linked with each stage of the theory. This means that the theory has proven its applicability in two different cases of genocide. In the case of Rwanda, there were approximately 800,000 victims, and in Bosnia more than 8,000 victims were executed¹⁴⁷ in the Srebrenica enclave. At the same time the secondary goal of the thesis, confirmation that genocide cannot be closely observed, has been achieved. All other levels of the ESoG theory have been identified in an area wider than just that of Srebrenica, but in all parts of Bosnia that were under Serbian control regardless of the fact that only acts of executions in Srebrenica were formally and legally recognized as genocide. Which means that apart from Srebrenica, advanced preparation of genocide was done in other parts of Bosnia and Herzegovina. This can be seen in chapters two through seven, where evidence has been clearly found and presented for all segments of genocide in Bosnia and Herzegovina.

Studies of the University of Sarajevo. This article was originally published in Bosnian in BH Dani and in English on the website of the Bosnian Institute, <http://www.henryjacksonsociety.org/stories.asp?id=1291>

¹⁴⁷ Execution being one of the last stages of genocide

As the author managed to apply the theory and to prove each part of it in the concrete crimes of genocide in Rwanda and BiH, the introduced hypothesis has been proved correct. The author based his hypothesis on the claim that genocide, from preparation to implementation, and all related activities are the same in each case and do not depend on the number of victims or size of the territory where genocide happens because the goal of genocide is always the same, the elimination of “the different”.

Owing to exact elements of the used theory, which gives universal perspective of the phenomenon of genocide, the author succeeded in verifying his own thesis. This was done by recognizing the development of each crucial issue in every stage of genocide in two separate crimes. This proved that the preparation and implementation of genocide was the same, even in the two culturally, politically, and geographically different countries of Rwanda and BiH. These two completely different countries have hardly anything in common, yet they both have enough similarities, as were previously stated, that allowed for the development of genocide and its implementation. The goal of genocide, as the universal goal of every act of genocide that we have seen from the UN Convention about genocide and from resulting legal acts, in both countries was the elimination of the others, the Tutsis and Bosniaks. In Rwanda’s case this elimination was justified by general stagnation and the inability of societal development, but in essence lay in the impossibility of ruling the country without sharing power with the Tutsi community. In BiH it was justified by leading a defensive war against Muslim fundamentalism. Muslims would not been there if they had not essentially “betrayed” their ancestral religion, the Serb Orthodox Church, and converted to Islam. The essence of the elimination of Muslims in the area conquered by the Serbian army was a struggle for territory. This happened because the Muslim population dominated these areas of Serb interest, so it would not be possible to democratically establish a Serbian government and to annex the territory of BiH to Serbia. As we saw in the third and in the fourth chapter, the political goal of Bosnian Serbs was the unification of all Serbs into a single

Serbian state and the goal of Rwanda's Hutus was independent rule of Rwanda without equality and actually without Tutsis, who had been a privileged part of the system for decades.

The similarity of all these preparations of genocide, regardless of geographical location, is logical because the goal of genocide is always the same: the elimination of others/"the different." The conclusion of the author of this thesis is that instigators of genocide in Bosnia and Rwanda brought one group of people into the position of "troublemakers" in society. For the implementation of envisioned socio-political objectives in these countries, these people had to be eliminated. These eliminations were justified by stating that these "troublemakers" were obstacles for the development of society and/or the cause of all problems in society.

The theoretical framework, in which the analysis of the case studies of Rwanda and Bosnia was conducted, predicts the dehumanization of the target group, as one of the stages of genocide. The elements of dehumanization were proven in the fourth chapter of this thesis, in both analyzed cases. Dehumanization was required to justify victims and to give "alibis" to the executors of these crimes, because nobody should feel that injustice had happened to innocent people, but to inhuman creatures.

The whole theoretical framework of this thesis was the utilization of elements which have been described by the ESoG theory. As the mentioned theory predicts, the development and execution of genocide happened in eight stages. The main part of this thesis was divided into eight chapters. Each chapter explores one stage of genocide through the analysis of the cases of Rwanda and Bosnia. The following table simplifies each stage of genocide with characteristically recognized elements in aforementioned case countries.

Stage Country	Rwanda	Bosnia and Herzegovina
Classification	Divided society Based on unofficial ethnicity Hutu and Tutsi	Divided society Based on religious divisions Serbs, Croats, Bosniaks
Symbolization	ID cards with ethnicity data. ID cards “visa for death”	Characteristic names of Muslims. ID cards “life-saving document”
Dehumanization	Derogatory names, “cockroaches” denial of right to live in country, different noses, height, accusation of eating children...	Derogatory names Balije, Turks, the denial of nationalities, Muslims are genetically deformed...
Organization	Weapons arming, training of paramilitary groups and militias (imena paramilitarnih organizacije), connections with financial sources...	Weapons arming, training of paramilitary groups (Beli Orlovi, Seseljenci, Cetnici) and militias, connections with financial sources...
Polarization	Establishment of wide range radio transmissions, elimination of opposition leaders, open and permanent hate propaganda through radio and newspaper	Taking control of BiH radio-television transmitters, hate propaganda, fake information, elimination of oppositional thinking
Preparation	Death list are drawn, property expropriated, confiscation, misappropriation and redistribution of Tutsi goods	Death list are drawn, deportation into concentration camps (Omarska, Manjaca, Keraterm...)
Extermination	During three months 800,000 executions	During several days more than 8,000 men were killed execution style
Denial	Justification of killings, minimalizing the number of victims, the blaming of the victims, continuation of denial in the ICTR and in Rwandan courts	Justification of killings, minimalizing the number of victims, the blaming of the victims, continuation of denial in the ICTY, in BiH courts and through “independent media” even parliaments and political parties.

Table 1. The short overview of stages of the EsoG theory through Rwanda and BiH cases

Analyzing this simplified version of the elements of the ESoG theory through the cases of Rwanda and Bosnia, it is clearly seen that both countries came through each stage of genocide. Their societies have recorded evidence of elements of each of the eight stages and that the theory is absolutely applicable in the proof and identification of genocide. This theory can be widely applicable in the processes of proving genocide or evading it. If some stages of the ESoG theory would be recognized in some divided societies, there could be a wide variety of opportunities of how to evade genocide. Possible actions to prevent each stage of genocide were not a topic of this thesis so they were not written about.

The theoretical framework was also focused on the UN Convention on genocide from which led the main legal legislations used in war crimes trials and also used in this thesis. These exact verdicts from international courts and testimonies of survivors and witnesses were used as primary sources through which made it possible to recognize elements of the used theory.

The author believes that he has achieved the main motive for writing this thesis. The reader has become familiar with the issue of genocide, in the way that they have been introduced to the Genocide Convention and recognition of the stages of genocide and their forms. Thus, this allowed the reader to alone, on the basis of acquired knowledge, be able to recognize conflicts in which there is hidden genocide. Wars are often used as a cover-up to hide deeper goals, such as genocide, and with this work the author wants to simplify the understanding of it, pointing to elements leading up to the crime of genocide. By having knowledge of the crime tribunals which prosecute genocide, the reader can better understand this phenomenon. With the achievement of goals and the verification of the hypothesis, the author can say that the motive of writing has been reached.

Bibliography

BASS, Gary Jonathan: *Stay the Hand of Vengeance – the Politics of War Crimes Tribunals*. Princeton University Press, USA 2000.

BERNÁŠEK, Michal: *Válka a váleční zločinci*. Část I. 3 July 2000. In: Juristic Society, <http://mpv.juristic.cz/30402/clanek> (cited 18. 1. 2010)

BROZ, Svetlana: *Good People in an Evil Time: Portraits of Complicity and Resistance in the Bosnian War*. Other Press, New York 2004.

BURG, Steven L. – SHOUP Paul S.: *The War in Bosnia-Herzegovina: Ethnic Conflict and International Intervention*. M.E. Sharpe, Inc. 2000.

CAPLAN, Gerald: *Rwanda the Preventable Genocide*. The Report of the International Panel of Eminent Personalities to Investigate the 1994 Genocide in Rwanda and the Surrounding Events, Organization of African Unity, 1998. In: STANTON, H. Gregory: *Could the Rwandan Gnocide Have Been Prevented?* In: *Journal of Genocide Research*, 6, 2004, 2, pp. 211 – 228.

DALLAIRE, Romeo: *Shake Hands With the Devil*. Random House, Canada 2003.

DESFOGES, Alison: *Leave None to Tell the Story Genocide in Rwanda*. March 1999, <http://www.grandslacs.net/doc/1317.pdf> (cited 12. 3. 2010)

DESFORGES, Alison: *Leave None To Tell The Story, Genocide in Rwanda*, Human Rights Watch & FIDH, New York 1999.

DIAMUND, M. Jared: *Collapse: How Societies Choose to Fail or Succeed*. Hardcover, UK 2005.

FEIN, Helen: *Genocide and Other State Murders in the Twentieth Century*. 24 October 1995. In: United States Holocaust Memorial Museum, Committee on Conscience,

<http://www.ushmm.org/genocide/analysis/details/1995-10-24-02/fein.pdf>
(cited 12. 1. 2010)

FILANDRA, Šaćir: *Nation or Community Contradictions of Bosniaks' National Development*. In: Yearbook of the Faculty of Political Sciences, 1, 2006, 197, pp. 195-206.

FILIPOVIĆ, Muhamed: *Who Are We, Bosniaks? Spirit of Bosnia* (Duh Bosne), 4, 2009, 2, pp. 1-7.

FRIEDMAN, Francine: *The Bosnian Muslims: Denial of a Nation* In: BUGAJSKI, Janusz: *Book reviews*, ORBIS, 1996.
http://findarticles.com/p/articles/mi_m0365/is_n4_v40/ai_18798575/pg_2/?tag=content;col1 (cited 16. 2. 2010)

FRUCHT, C. Richard: *Eastern Europe: an Introduction to the People, Land, and Culture*. ABC-CLIO Ltd, Santa Barbara 2004.

GERTEINY, Alfred G.: *The Terrorist Conjunction: the United States, the Israeli-Palestinian Conflict and Al- Qaida*. Praeger Publishers Inc., USA 2007.

GUTMAN, Roy: *A Witness to Genocide*. Macmillan Publishing Company, New York 1993.

HALPERN, M. Joel – KIDECKEL, A. David: *Neighbors at War: Anthropological Perspectives on Yugoslav Ethnicity, Culture, and History*. University of Massachusetts Gallery, Amherst 1997.

HASLAM, Nick: *Dehumanization: An Integrative Review*. Personality and Social Psychology Review, 10, 2006, 3, pp. 252-264.

HLADKÝ, Ladislav: *Bosna a Hercegovina: Historie nešťastné země*. Doplnek, Brno 1996.

HERCEG, Nevenko – TOMIĆ, Zoran: *Izbori u Bosni i Hercegovini*. Sveučilište u Mostaru, Centar za studije novinarstva, Mostar 1998.

HINTJENS, M. Helen: *Explaining the 1994 Genocide in Rwanda*. The Journal of Modern African Studies, 37, 1999, 2, pp. 241-286.

<http://www.jstor.org/stable/161847> (cited 23. 2. 2010)

HONIG, J. Willem – BOTH, Norbert: *Srebrenica: Record of a War Crime*. Penguin Books, London 1996.

IBRAHIMAGIC, Omer: *Constitutional Development of Bosnia and Herzegovina*. Vijeće bosnjackih intelektualca, Sarajevo Septebar 1998,

<http://www.camo.ch/PDFO/OmerBiH.pdf> (cited 13. 1. 2010)

JOHNSON, Janet Buttolph – REYNOLDS, H.T.: *Political Science Research Methods*. CQ Press, Washington 2005.

KAKWENZIRE, Joan - KAMUKAMA, Dixon: *The Development and Consolidation of Extremist Forces in Rwanda 1990 – 1994*. In: ADELMAN, Howard – SUHRKE, Astri: *The path of Genocide: the Rwanda crisis from Uganda to Zaire*. Paperback, 2000.

KAUFMANN, Chaim: *Possible and Impossible Solutions to Ethnic Civil Wars*. The MIT Press, 20, 1996, 4, pp. 136-175,

www.jstor.org/stable/2539045 (cited 24. 3. 2010)

KURSPAHIĆ, Kemal: *Prime Time Crime: Balkan Media in War and Peace*. The Endowment of the United States Institute of Peace, Washington 2003.

LAVIĆ, Senadin: *Dictatorship of Nationalism Great Serbia Expansionism, Ethno-preverion and Will of Nation*. Pregled, Periodical for Social Issues, LXXXVII, 2007, 3-4, Sarajevo, pp. 113- 150.

LOPASIC, Alexander: *Bosnian Muslims: A Search for Identity*. Bulletin of British Society for Middle Eastern Studies, 8, 1981, 2, pp. 115-125,

www.jstor.org/stable/194542 (cited 2. 3. 2010)

- MAČEK, Ivana: *War Within: Everyday Life in Sarajevo Under Siege*. Uppsala University Library, Uppsala 2000.
- MANN, Michael: *The Dark Side of Democracy: Explaining Ethnic Cleansing*. Cambridge University Press, UK 2005.
- MALKK, Liisa Helena: *Purity and Exile: Violence, Memory, and National Cosmology Among Hutu Refugees in Tanzania*. Paperback, London 1995.
- MARCHAK, Patricia M.: *Reigns of Terror*. McGill-Queen's University Press, 2003.
- MELVEM, Linda: *A People Betrayed. The Role of the West in Rwanda's Genocide*. Zed Books, London, 2000.
- MELVERN, Linda: *Conspiracy to Murder: The Rwandan Genocide*. Hardcover, UK 2004.
- QUIGLEY, John B.: *The Genocide Convention: an International Law Analysis.*, Ashgate Publishing Company, Burlington 1998.
- RADAKOVIĆ, T. Ilija: *Besmislena Yu Ratovanja 1991-1995*. Društvo za istinu o antifašističkoj narodnooslobodilačkoj borbi u Jugoslaviji (1941-1945), Beograd 1997.
- RUSESABAGINA, Paul – ZOELLNER, Tom: *An Ordinary Man*. Viking Adult, New York 2006.
- SARKIN, Jeremy: *The Tension Between Justice and Reconciliation in Rwanda: Politics, Human Rights, Due Process and the Role of the Gacaca Courts in Dealing with the Genocide*. Journal of African Law 45, 2001, 2. pp. 143-172. <http://www.jstor.org/stable/3558953> (cited 24. 3. 2010)
- SHATZMILLER, Maya: *Islam and Bosnia: Conflict Resolution and Foreign Policy in Multi-Ethnic States*. McGill-Queen's University Press, London 2002.

STANTON, Gregory H.: *The 8 Stage of Genocide*. 1998. In: The Genocide Watch,

<http://www.genocidewatch.org/aboutgenocide/8stagesofgenocide.html>

(cited 8. 1. 2010)

STANTON, H. Gregory: *Could the Rwandan Genocide Have Been Prevented?* Journal of Genocide Research, 6, 2004, 2, pp. 211 – 228.

SUDETIC, Chuck: *Blood and Vengeance: One Family's Story of the War in Bosnia*. W.W. Norton and Company, New York 1998.

THOMPSON, Allan: *The Media and the Rwanda Genocide*. Statement by ANNAN Kofi. Pluto Press London, Fountain Publishers, Kampala 2007.

UVIN, Peter: *Prejudice, Crisis, and Genocide in Rwanda*. African Studies Review, 40, 1997, 2, pp. 91-115, www.jstor.org/stable/525158 (cited 24. 2. 2009)

WAUGH, Colin M.: *Paul Kagame and Rwanda: Power, Genocide and Patriotic Front*. Mc Farland, North Carolina 2004.

WOOD, William B.: *Geographic Aspects of Genocide: A Comparison of Bosnia and Rwanda*. New Series, 26, 2001, 1, pp. 57- 75, www.jstor.org/stable/623145 (cited 24. 2. 2009)

ZULCH, Tilman: *Ethnic Cleansing "Genocide for a Greater Serbia"*. Society for Threatened Peoples, Bosnian Cultural Center, Sarajevo 1996.

Sources

About the Court. not dated. In: The International Criminal Court, <http://www.icc-cpi.int/Menus/ICC/About+the+Court/> (cited 7. 1. 2010)

About the ICTY: Establishment. not dated. In: The International Criminal Tribunal for Yugoslavia, <http://www.icty.org/sid/319T> (cited 7. 1. 2010)

About the ICTY: History. not dated. In: The International Criminal Tribunal for Yugoslavia, <http://www.icty.org/sid/95> (cited 7. 1. 2010)

Accused Issued Fake Identity Cards To Minority Tutsi. Internews ARUSHA 3 May 2000, <http://www.preventgenocide.org/prevent/removing-facilitating-factors/IDcards/sources.htm> (cited 18. 2. 2010)

ADALIAN, Rouben Paul: *Armenian Genocide.* not dated. In: Armenian National Institute, <http://www.armenian-genocide.org/genocide.html> (cited 18. 2. 2010)

ALBRIGHT, Madeleine K. – COHEN, William S.: *Never Again, for Real.* The New York Times, 20 December 2008. http://www.nytimes.com/2008/12/21/opinion/21albright.html?_r=1 (cited 11. 1. 2010)

Appeals Chamber Judgement in the Case the prosecutor v. Radislav Krstic. ICTY Press Release, 19 April 2004, http://www.icty.org/x/cases/krstic/acjug/en/040419_Krsti_summary_en.pdf (cited 12. 1. 2010)

Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro). 26 February 2007. In: The International Court of Justice, <http://www.icj-cij.org/docket/index.php?pr=1897&code=bhy&p1=3&p3=6&case=91&k=f4> (cited 8. 1. 2010)

Arming Rwanda - The Arms Trade and Human Rights Abuses in the Rwandan War. 1 January 1994. In: Human Rights Watch, <http://www.unhcr.org/refworld/docid/3ae6a7fc8.html> (cited 3. 3. 2010)

Begunci. 2004. Film of the SENSE News Agency, <http://www.sense-agency.com/ba/multimedia/index.php?trans=36&mulkat=2>

(cited 16. 2. 2010)

Bernheim Petition. not dated. In: Yad Vashem, SHOAH Resource Center, http://www1.yadvashem.org.il/odot_pdf/Microsoft%20Word%20-%206006.pdf

(cited 18. 2. 2010)

BiH Census 1991. In: Federalni zavod za statistiku,

<http://www.fzs.ba/Podaci/nacion%20po%20mjesnim.pdf> (cited 8. 1. 2010)

BISERKO, Sonja – BECIREVIC, Edina: *Genocide Denial vs Normalisation in the Balkans*. 24 October 2009. In: BH Dani, Sarajevo,

<http://www.henryjacksonsociety.org/stories.asp?id=1291>

(cited 25. 2. 2010)

British Military & Criminal History in the period 1900 to 1999. not dated. In:

Stephen's Study Room, <http://www.stephen-stratford.co.uk/imtfe.htm>

(cited 12. 1. 2010)

Butler: Nema sumnje da su starješine znale da je konačni cilj ubijanje ljudi.

22 Februar 2010. In: FENA Newsagency in Dnevni Avaz.

<http://www.dnevniavaz.ba/dogadjaji/iz-minute-u-minutu/butler-nema-sumnje-da-su-starjesine-znale-da-je-konacni-cilj-ubijanje-ljudi> (cited 23. 2.

2010)

Case Information Sheet, Radovan Karadzic. 19 November 2009. In: ICTY

http://www.icty.org/x/cases/karadzic/cis/en/cis_karadzic_en.pdf

(cited 12. 1. 2009)

Convention on the Prevention and Punishment of the Crime of Genocide.

12 January 1951. In: The United Nations, [http://www.un-](http://www.un-documents.net/cppcg.htm)

[documents.net/cppcg.htm](http://www.un-documents.net/cppcg.htm) (cited 15. 1. 2010)

DEMICK, Barbara: *Muslims in Bosnia Shed Names to Save Homes, Businesses and Their Lives*. Knight Ridder/Tribune News Service, 2 January 1994.

<http://news.google.com/newspapers?nid=1914&dat=19940103&id=XWMgAAAAIBAJ&sjid=DWYFAAAAIBAJ&pg=4422,200814> (cited 18. 2. 2010)

DOWDEN, Richard: *Identity Card Was Passport to Death*. Independent, 7 July 1994. London. In: <http://www.preventgenocide.org/prevent/removing-facilitating-factors/IDcards/sources.htm> (cited 18. 2. 2010)

DOYLE, Mark: *Ex-Rwandan PM Reveals Genocide Planning*. BBC News, 26 March 2004, <http://news.bbc.co.uk/2/hi/africa/3572887.stm> (cited 11. 1. 2010)

DOYLE, Mark: *International Media Coverage of the Genocide*. Transcript of remarks for the symposium on *Media and the Rwandan Genocide* held at [Carleton University](http://www.carleton.ca), 13 March 2004, <http://www.carleton.ca/mediagenocide/documents/transcript/panel3/doyle.html> (cited 11. 1. 2010)

DŽIDIĆ, Denis – AHMETAŠEVIĆ, Nidžara: *Ratni zločini pred norveškim sudom*. BIRN. 25 September 2008, <http://www.bim.ba/bh/134/10/13434/> (cited 23. 2. 2010)

Etnička obilježja stanovništva. Novembar 1993. In: Zavod za Statistiku Republike Bosne i Hercegovine, Statistički Bilten, <http://www.bhas.ba/arhiva/census1991/Etnicka%20obiljezja%20stanovnistva%20bilten%20233.pdf> (cited 14. 1. 2010)

FUSSELL, Jimby: *Ten Years Ago in Rwanda This Identity Card Cost a Woman Her Life*. not dated. In: Prevent Genocide International, <http://www.preventgenocide.org/edu/pastgenocides/rwanda/indangamuntu.htm> (cited 17. 2. 2010)

GEORG, Terry (dir.): *Hotel Rwanda*. Film. 2005. In: The Internet Movie Database, <http://www.imdb.com/title/tt0395169/> (cited 21. 2. 2010)

Genocide in the 20th Century. 2000. In: The History Place,
<http://www.historyplace.com/worldhistory/genocide/holocaust.htm>
(cited 16. 2. 2010)

HLADKÝ, Ladislav: *Bosenská otázka v 19. a 20. století*. Mezinárodní politologický ústav, Brno 1996.

HOLLAND, Hereward: *Rwanda Says Hutu Radicals Killed President in 1994*. Reuters, 11 January 2010,
<http://af.reuters.com/article/worldNews/idAFTRE60A19H20100111>
(cited 18. 1. 2010)

HYMOWITZ, Sarah - PARKER, Amelia: *History of the Tutsis and the Hutus*. American University Washington College of Law Center for Human Rights and Humanitarian Law. 15 April 2004.
www.wcl.american.edu/humright/center (cited 18. 2. 2010)

INIC, Slobodan: *Biljana Plavsic: Geneticist in the Service of a Great Crim.* not dated. <http://www.barnsdle.demon.co.uk/bosnia/plavsic.html> (cited 22. 2. 2010)

Istraživačko-dokumentacijski centar: Od '91. do '95. u BiH ubijeno 97 tisuća ljudi. 21. July 2006. In: Portal Jutarnji hr,
<http://www.jutarnji.hr/istrazivacko-dokumentacijski-centar--od--91--do--95--u-bih-ubijeno-97-tisuca-ljudi/179306/> (cited 22. 3. 2010)

KIMANI, Mary: *Witness Breaks Down during Testimony in "Media Trial"*. Internews Arusha, 26 June 2001,
<http://www.preventgenocide.org/prevent/removing-facilitating-factors/IDcards/sources.htm> (cited 18. 2. 2010)

LAMB, Scott: *Genocide since 1945. Never Again?* Der Spiegel, 26 January 2005, <http://www.spiegel.de/international/0,1518,338612,00.html>
(cited 14. 1. 2010)

LIVELY, Tarron: *Turning Horror into Action*. The Washington Times, 14 May 2007,
<http://www.washingtontimes.com/news/2007/may/13/20070513-111544-3546r/> (cited 10. 1. 2010)

MUKIMBIRI, Jean: *The Seven Stages of the Rwandan Genocide*. Journal of International Criminal Justice, 3, 2005, 4.
<http://jicj.oxfordjournals.org/cgi/reprint/3/4/823> pp. 823-836 (cited 22. 3. 2010)

Optužnica. Magazine BH Dani, Content of Charges against Milošević. Special edition, 7 December 2001,
<http://www.bhdani.com/arhiva/235/cinjenice.shtml> (cited 11. 1. 2010)

PARSONS, Christi – KING, Laura: *Obama Avoids Saying "Genocide" while in Turkey*. The Los Angeles Times, 7 April 2009,
<http://articles.latimes.com/2009/apr/07/world/fg-obama-armenia7> (cited 7. 1. 2010)

PECK, Raoul (dir.): *Sometimes in April*. Film. 2005. In: The Internet Movie Database, <http://www.imdb.com/title/tt0400063/> (cited 27. 1. 2010)

Rat u BiH je bio rat između Srba - The War in Bosnia Was a War between the Serbs. 26 February 2010. In: Sarajevo-X, Karadžićev intervju Al-Jazeera, <http://www.sarajevo-x.com/bih/politika/clanak/100226013> (cited 27. 2. 2010)

Resolution 827. 25 May 1993. In: UN Security Council, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N93/306/28/IMG/N9330628.pdf?OpenElement> (cited 11. 1. 2010)

Resolution 955. 8 November 1994. In: UN Security Council, <http://www.un.org/ict/english/Resolutions/955e.htm> (cited 11. 1. 2010)

Rwanda International Criminal Tribunal Pronounces Guilty Verdict in Historic Genocide Trial. 2 September 1998. UN Press Release, <http://www.un.org/News/Press/docs/1998/19980902.afr94.html> (cited 12. 1. 2010)

SCHARF, Michael P.: *Statute of the International Criminal Tribunal for Rwanda*. In: The Audiovisual Library of International Law, <http://untreaty.un.org/cod/avl/ha/ictr/ictr.html> (cited 12. 1. 2010)

SHAW, Brian: *A Quest for Justice: W&L Law Professor Hopes to Take the Khmer Rouge to Court*. Washington & Lee Alumni Magazine, September – October, 1987. In: The Genocide Watch, <http://www.genocidewatch.org/aquestforjustice.html> (cited 9. 1. 2010)

TANOVIĆ, Danis (dir.): *No Man's Land* (Bosnian origin *Ničija zemlja*). Film. 2001.

The Bosnian Atlas of War Crimes. 12 February 2010. In: The Research and Documentation Center Sarajevo: http://www.idc.org.ba/index.php?option=com_content&view=category&layout=blog&id=112&Itemid=144&lang=bs (cited 20. 3. 2010)

The Crime of "Genocide" Defined in International Law. not dated. In: Prevent Genocide International, <http://www.preventgenocide.org/genocide/officialtext.htm> (cited 11. 1. 2010)

The James Farmer Professor in Human Rights. not dated. In: University of Mary Washington, http://www.umw.edu/cas/history/james_farmer_professorship/james_farmer_professor/default.php (cited 9. 1. 2010)

The Legal Definition of Genocide. not dated. In: Prevent Genocide International, <http://www.preventgenocide.org/genocide/officialtext-printerfriendly.htm> (cited 11. 1. 2010)

The Tribunal's Appeals Chamber Today Sentenced Radoslav Brđanin to 30 Years' Imprisonment. 3 April 2007. The International Tribunal for Former Yugoslavia, Press Release,

<http://www.icty.org/x/cases/brdanin/press/en/pr1151e.htm>

(cited 11. 2. 2010)

TRAYNOR, Ian: *Karadzic Opens Defence with Retelling of History.* The Guardian, 2 March 2010,

<http://www.guardian.co.uk/world/2010/mar/02/radovan-karadzic-defends-bosnian-war> (cited 14. 3. 2010)

Trial Chamber Sentences the Accused to 11 Years' Imprisonment and Says That "No Sentence Can Fully Reflect the Horror of What Occurred or the Terrible Impact on Thousands of Victims. 27 February 2003. The International Tribunal for Former Yugoslavia, Press Release,

<http://www.icty.org/x/cases/plavsic/press/en/PR734e%20The%20prosecutor%20v.%20Biljana%20plavsic.pdf> (cited 28. 2. 2010)

VERWIMP, Philip: *Death and Survival During the 1994 Genocide in Rwanda.* Population Studies, 58, 2004, 2, pp. 233-245,

www.jstor.org/stable/4148232 (cited 24. 2. 2009)

Zakon o osnovnim podacima za ličnu kartu ("Službeni list SFRJ", broj 6/73) i *Zakon o ličnoj karti* ("Službeni glasnik SRS", br. 15/74, 54/77, 57/80, 45/85 i 40/88 i "Službeni glasnik RS", br. 53/93 - dr. zakon, 67/93 - dr. zakon, 48/94 - dr. zakon i 101/05 - dr. zakon).

Željko Meakić Transferred to the ICTY Detention Unit. 27 February 2003.

The International Crime Tribunal for ex Yugoslavia – ICTY, Press Release, <http://www.icty.org/x/cases/mejakic/press/en/PR767e%20Zeljko%20Meakic%20Transferred%20To%20The%20Icty%20Detention%20Unit.pdf>

(cited 22. 3. 2010)

Annex

Convention on the Prevention and Punishment of the Crime of Genocide

Approved and proposed for signature and ratification or accession by General Assembly resolution 260 A (III) of 9 December 1948

entry into force 12 January 1951, in accordance with article XIII

The Contracting Parties,

Having considered the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world,

Recognizing that at all periods of history genocide has inflicted great losses on humanity, and

Being convinced that, in order to liberate mankind from such an odious scourge, international co-operation is required,

Hereby agree as hereinafter provided:

Article 1

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

Article 2

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 3

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.

Article 4

Persons committing genocide or any of the other acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

Article 5

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention, and, in particular, to provide effective penalties for persons guilty of genocide or any of the other acts enumerated in article III.

Article 6

Persons charged with genocide or any of the other acts enumerated in article III shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

Article 7

Genocide and the other acts enumerated in article III shall not be considered as political crimes for the purpose of extradition.

The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

Article 8

Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article III.

Article 9

Disputes between the Contracting Parties relating to the interpretation, application or fulfilment of the present Convention, including those relating to the responsibility of a State for genocide or for any of the other acts enumerated in article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

Article 10

The present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall bear the date of 9 December 1948.

Article 11

The present Convention shall be open until 31 December 1949 for signature on behalf of any Member of the United Nations and of any nonmember State to which an invitation to sign has been addressed by the General Assembly.

The present Convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

After 1 January 1950, the present Convention may be acceded to on behalf of any Member of the United Nations and of any non-member State which has received an invitation as aforesaid. Instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 12

Any Contracting Party may at any time, by notification addressed to the Secretary-General of the United Nations, extend the application of the present Convention to all or any of the territories for the conduct of whose foreign relations that Contracting Party is responsible.

Article 13

On the day when the first twenty instruments of ratification or accession have been deposited, the Secretary-General shall draw up a proces-verbal and transmit a copy thereof to each Member of the United Nations and to each of the non-member States contemplated in article 11.

The present Convention shall come into force on the ninetieth day following the date of deposit of the twentieth instrument of ratification or accession.

Any ratification or accession effected, subsequent to the latter date shall become effective on the ninetieth day following the deposit of the instrument of ratification or accession.

Article 14

The present Convention shall remain in effect for a period of ten years as from the date of its coming into force.

It shall thereafter remain in force for successive periods of five years for such Contracting Parties as have not denounced it at least six months before the expiration of the current period.

Denunciation shall be effected by a written notification addressed to the Secretary-General of the United Nations.

Article 15

If, as a result of denunciations, the number of Parties to the present Convention should become less than sixteen, the Convention shall cease to be in force as from the date on which the last of these denunciations shall become effective. Article 16

A request for the revision of the present Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

The General Assembly shall decide upon the steps, if any, to be taken in respect of such request.

Article 17

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in article XI of the following:

- (a) Signatures, ratifications and accessions received in accordance with article 11;
- (b) Notifications received in accordance with article 12;
- (c) The date upon which the present Convention comes into force in accordance with article 13;
- (d) Denunciations received in accordance with article 14;
- (e) The abrogation of the Convention in accordance with article 15;
- (f) Notifications received in accordance with article 16.

Article 18

The original of the present Convention shall be deposited in the archives of the United Nations.

A certified copy of the Convention shall be transmitted to each Member of the United Nations and to each of the non-member States contemplated in article XI.

Article 19

The present Convention shall be registered by the Secretary-General of the United Nations on the date of its coming into force.

[Convention text](#) from the UN Office of the High Commissioner for Human Rights

Dr Stanton Curriculum Vitae

Dr. Stanton is the founder (1999) and president of Genocide Watch (www.genocidewatch.org), the founder (1981) and director of the Cambodian Genocide Project, and is the founder (1999) and Chair of the International Campaign to End Genocide. He is the President (2007-2009) of the International Association of Genocide Scholars.

Dr. Stanton served in the State Department (1992-1999), where he drafted the United Nations Security Council resolutions that created the International Criminal Tribunal for Rwanda, the Burundi Commission of Inquiry, and the Central African Arms Flow Commission. He also drafted the U.N. Peacekeeping Operations resolutions that helped bring about an end to the Mozambique civil war. In 1994, Stanton won the American Foreign Service Association's prestigious W. Averell Harriman award for "extraordinary contributions to the practice of diplomacy exemplifying intellectual courage," based on his dissent from U.S. policy on the Rwandan genocide. He wrote the State Department options paper on ways to bring the Khmer Rouge to justice in Cambodia.

Since leaving the State Department in 1999 to found Genocide Watch, Stanton has been deeply involved in the U.N.-Cambodian government negotiations that have brought about creation of the Khmer Rouge Tribunal, for which he has drafted internal rules of procedure and evidence. From 1999 to 2000, he also served as Co-Chair of the Washington Working Group for the International Criminal Court.

Before he joined the State Department, Stanton was a legal advisor to RUKH, the Ukrainian independence movement, work for which he was named the Ukrainian Congress Committee of America's 1992 Man of the Year. He was the Chair of the American Bar Association Young Lawyer's Division Committee on Human Rights and a member of the A.B.A.'s Standing Committee on World Order Under Law.

Gregory Stanton comes from the lineage of Elizabeth Cady Stanton, women's suffrage activist, and Henry Brewster Stanton, anti-slavery leader. Actively involved in human rights since the 1960's, when he was a voting rights worker in Mississippi, he served as a Peace Corps Volunteer in the Ivory Coast, and as the Church World Service/CARE Field Director in Cambodia in 1980. He has been a Law Professor at Washington and Lee and American Universities and the University of Swaziland.

He has degrees from Oberlin College, Harvard Divinity School, Yale Law School, and a Doctorate in Cultural Anthropology from the University of Chicago. He was a fellow at the Woodrow Wilson International Center for Scholars (2001-2002).

***Articles by Dr. Gregory H. Stanton
President of Genocide Watch***

***President of Genocide Watch Elected President of the International
Association of Genocide Scholars***

At the seventh biennial meeting of the International Association of Genocide Scholars, held in Sarajevo, Bosnia and Herzegovina, July 9-13, 2007, Dr. Gregory Stanton, President of Genocide Watch, was elected President of the International Association of Genocide Scholars. From 2005-2007, Stanton served as First Vice President of the Association, a global, interdisciplinary, non-partisan organization that seeks to further research and teaching about the nature, causes, and consequences of genocide, and advance policy studies on prevention of genocide. For more information on the International Association of Genocide Scholars, please visit the organization's [website](#).

["The Precautionary Principle: A Brief for the Genocide Prevention Task Force,"](#)
by Dr. Elihu Richter and Dr. Gregory Stanton

["Building an Anti-Genocide Regime,"](#) in Totten, ed. *Genocide, A Bibliographic Review, Volume 6*, Routledge, 2008.

["Ethnic Cleansing Bleaches the Atrocities of Genocide,"](#) Blum, Stanton, Richter, Sagi, *European Journal of Public Health*, May 2007

["Response to Hayden" regarding "Ethnic Cleansing Bleaches the Atrocities of Genocide,"](#) Richter & Stanton, 2008.

"Seeking Justice in Cambodia: Realism, Idealism, and Pragmatism," in tatz, Arnold, and Tatz, eds., Genocide Perspectives III, Brandl & Schlesinger and the Australian Institute for Holocaust and Genocide Studies, 2006.

"Proving Genocide in Darfur: The Atrocities Documentation Project and Resistance to Its Findings," in Markusen and Totten, The Darfur Atrocities Documentation Project, Routledge, 2006.

"Massachusetts and Genocide," with Peter Balakian, Boston Globe, 4 December 2005.

"Twelve Ways to Deny A Genocide," in Apsel, ed., Darfur: Genocide Before Our Eyes, Institute for the Study of Genocide, 2005, 43 - 47.

"Early Warning," in Shelton, ed., Encyclopedia of Genocide and Crimes Against Humanity, Thomson-Gale: Macmillan, 2004, 271 - 273.

"Could the Rwandan Genocide Have Been Prevented?" Journal of Genocide Research, Vol. 6, No. 2, June 2004, 211- 228.
Also in Schaller, Boyadjian, Berg, Scholtz, eds. Enteignet – Vertrieben - Ermordet, Beiträge zur Genozidforschung, Zurich: Chronos Verlag, 2004, 437 – 456.

2004 "Those Who Own The Past Own The Future," by Dr. Gregory H. Stanton, Genocide Watch and The International Campaign to End Genocide

"Create a United Nations Genocide Prevention Focal Point and Genocide Prevention Center," in Preventing Genocide: Threats and Responsibilities, Options Paper for the Stockholm International Forum on Genocide Prevention, Proceedings, January 2004.

"Five Misconceptions About Using the Word: Genocide," Genocide Watch, 2003.

Perfection is the Enemy of Justice, Bangkok Post and Phnom Penh Post, 2003.

"The Call," in Jacobs & Totten, eds. Pioneers in Genocide Studies, Transaction, 2002.

"The Calling of International Law," Yale Law School, 2002.

"Why the Khmer Rouge Murdered Two Million People," in Turner, ed. The Real Lessons of Vietnam, Carolina, 2002.

"How We Can Prevent Genocide," Raphael Lemkin Memorial Conference, London, England, October 2000.

"Wie wir Genozid verhindern können," in Radkau, Fuchs, Lutz, eds., Genozide und staatliche Gewaltverbrechen im 20. Jahrhundert, Studien Verlag, Wein, 2004, 29 – 39.

["The Eight Stages of Genocide," Yale Genocide Studies Series, GS01, February, 1998.](#)

"Are Criminal Trials Effective Tools for Diplomats?" [Foreign Service Journal](#), 1996.

["The Cambodian Genocide and International Law," in Genocide and Democracy in Cambodia, Yale U. Press, 1993.](#)

"Democratization in Ukraine: Constitutions and The Rule of Law," [Demokratizatsiya, The Journal of Post-Soviet Democratization](#), Summer, 1992.

"U.S. Payment of Assessments by the United Nations," 22 [The International Lawyer](#) 1282 (Winter, 1988).

["Kampuchean Genocide and the World Court," 2 Connecticut Journal of International Law 341 \(Spring, 1987\).](#)

["Cambodian Resurrection," Yale Law Report, Spring 1981.](#)

"Three Concepts of Equality: Compensatory Discrimination in Indian and American Constitutional Law," 27 [Indian Journal of Public Administration](#) 1 (1981).

Srebrenica genocide denial Summary

Denial of the Srebrenica genocide takes many forms. The methods range from the brutal to the deceitful. Open deniers, such as Srdja Trifkovic, refer most often to the video of a Skorpion unit executing six Bosniak youths. In their interpretation, the video is a manipulation that does not in itself prove that genocide took place in Srebrenica, nor that seven or eight or ten thousand people were killed there. Trifkovic insists that there is no evidence that the Skorpion unit was under the command of the Serbian interior ministry. He further insists that the video from Srebrenica was produced with a specific political task: to inflict a collective responsibility upon the Serbian people; to use the tenth anniversary of Srebrenica to 'de-Nazify', i.e. denationalise, Serbia; and to achieve a revision of the Dayton accords that would abolish Republika Srpska and create a centralised and unified Bosnia-Herzegovina. According to Trifkovic, the aim is retroactively to justify Western policy. Trifkovic is followed by many other 'scholars' who deny the genocide. Darko Trifunovic, who teaches at the Faculty of Security, has publicised stories about 'Islamic terrorism in Bosnia-Herzegovina', which he uses in order to deny the validity of the verdict passed by the ICJ. Trifunovic also denies the validity of the verdict upon General Krstic, and

insists that fewer than one hundred men were actually executed at Srebrenica. The line of denial propagated by Emil Vlajki has found a warm reception among Serbian deniers. In his text 'Srebrenica as a metaphor', Vlajki writes that 'the evidence for the alleged massacre was and remains inadequate', but that the propaganda conducted by the US 'military-political complex' has nevertheless 'done its work', so that 'Srebrenica has become one of the greatest of twentieth-century myths', in which 'the Serbs are blamed for the worst massacre committed in Europe since the time of Hitler'. Vlajki blames the propaganda of the US 'military-political complex' also for the fact that Srebrenica has entered the annals of international institutions, video games, school textbooks and anthologies dealing with genocide across the world. What pains him most is that the 'Srebrenica myth' has become so widely accepted that 'people in the West have acquired a Pavlovian reflex: as soon as they hear the word Serb, they think of Srebrenica, and vice versa.' Milivoje Ivanišević, a publicist and 'researcher' into war crimes in Bosnia, likewise insists in his book *Traganje za istinom* [Search for Truth], which he presented in 2008 at the University of Niš law faculty, that no genocide occurred in Srebrenica: 'Ever since 11 July 1995, when the Serbs made a forced return to Srebrenica, in return for their own forced expulsion from there, stories started to circulate about a large number of Muslims, above all innocent Muslim civilians, old people, women and children, killed there. The numbers multiplied as time went by and reached such proportions that today not only the Hague tribunal and the Muslim religious and secular authorities speak of genocide, which is to be expected and perhaps logical, but so too do foreign state officials.' Ivanišević accuses many NGOs, especially those in Sarajevo and Belgrade, of insisting on the theme of genocide in order to burden the Serbs with irrational guilt. 'As if the imposed cult of Srebrenica were still weighing upon our conscience, becoming a metaphor for an unimaginable and indeed genocidal crime committed by Serbs against the innocent inhabitants of this small town lost in the Bosnian gorges and wilderness', writes Ivanišević. Closer analysis of the structure of his sentence implies that we can deny only what we know, not what we do not know. That the ICJ verdict provides a framework beyond which Serbia will not go is reflected in trials before our national courts, which are unanimous in their view that Serbia and its army were not engaged in Bosnia. The most striking case is that of the Skorpions. The verdict was delivered in April 2007, a mere month after the one passed by the ICJ. The presiding judge, Gordana Božilović-Petrović, argued in her extensive exposition that the Skorpions had nothing to do with the Serbian state at that time. According to the verdict, the Skorpions were formed by the Oil Industry of the former Republika Srpska Krajina (RSK), and as a unit came under the command of the RSK army only in 1993. It became part of the reserve forces of the Serbian ministry of the interior in 1996, together with the JSO [special operations unit], and it was only in 1999 that it came under the control of the Serbian interior ministry. According to this interpretation, in the summer of 1995, when the six from Srebrenica were killed, the Skorpions were helping the forces of the Republika Srpska, and were subject to them. Judge Božilović-Petrović did not hesitate to describe the war in Bosnia-Herzegovina as a 'civil war'.

LINKS TO THE TWO GENOCIDE VERDICTS

RADISLAV KRSTIĆ Convicted of aiding and abetting genocide, murders, extermination and persecutions. Chief-of-Staff/Deputy Commander of the Bosnian Serb Army (VRS) Drina Corps;

promoted to rank of General-Major in June 1995; assumed command of the Drina Corps on 13 July 1995. - Sentenced to 35 years' imprisonment
http://www.icty.org/x/cases/krstic/cis/en/cis_krstic.pdf

RWANDA INTERNATIONAL CRIMINAL TRIBUNAL PRONOUNCES
GUILTY VERDICT IN HISTORIC GENOCIDE TRIAL

<http://www.un.org/News/Press/docs/1998/19980902.afr94.html>