12/sms10/006

Pcs 402

Conflict and human displacement

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Discuss responsibility to protect in relation to the Libyan and Syrian crises and give few narrative on the following;

1. Ethnic cleansing.
2. Genocide.
3. War crimes.
4. Crimes against humanity.

The crisis in Libya seized the attention of the international community and has been labelled a clear case for when timely and decisive response to uphold RtoP in the face of an imminent threat of mass atrocities should occur. In February 2011, civilians began to undertake political protests demanding an end to Libyan leader Muammar Gaddafi’s 41-year reign, wherein protestors found themselves the target of mass atrocities at the hands of government armed forces. In witnessing such violence by the Libyan government, the international community and regional and sub-regional bodies acted to protect the populations through a range of economic, political, and military measures.  
  
Protests that began in the capital of Tripoli spread within weeks across the country to the city of Benghazi, which became the opposition’s stronghold and was soon subject to shocking brutality as Gaddafi dispatched the national army to crush the unrest. The Libyan leader expressed clear intent to continue committing massive human rights violations by announcing to Benghazi residents that his forces would show no mercy to rebels. Gaddafi’s cruel objective was clear in his potent speech broadcasted on 22 February 2011, when he used language reminiscent of the genocide in Rwanda and stated that he would rather die a martyr than step down. Gaddafi called on his supporters to attack the protesting. ”cockroaches” and “cleanse Libya house by house” until protestors surrendered.  
  
Faced with Gaddafi’s imminent intention to massacre the city’s population, it was clear that international action in response to the Libyan government’s manifest failure to uphold its Responsibility to Protect was needed to halt ongoing crimes and prevent a bloodbath. Civil society, regional and international actors saw the warning signs of mass atrocities. Rather than stand by and risk failing to act while more civilians had been subject to mass violence, these actors urgently took action to prevent these heinous crimes.

Established by the UN Human Rights Council (HRC) in February 2011, the International Commission of Inquiry on Libya issued a report on 2 March 2012, finding that war crimes and crimes against humanity were committed by both pro and anti-Gaddafi forces. The report called for the establishment of mechanisms to address violations and curb impunity, specifically an independent judiciary. Commissioners also found that the NATO campaign in Libya was conducted with “demonstrable determination to avoid civilian casualties.”

Throughout the conflict, NTC forces and other anti-Gaddafi militias were accused of targeting Sub-Saharan Africans due to perceived loyalty to Gaddafi. Though the NTC repeated its intentions to investigate human rights violations, secure arms depots, prevent revenge killings and stop ill-treatment of Sub-Saharan Africans, reports alleged that anti-Gaddafi forces repeatedly violated international and humanitarian law during the war. Nonetheless, foreign migrants were reportedly subject to arbitrary arrest and in some cases torture and execution. The International Organization for Migration reported that as of 3 November 2011, 768,372 foreign migrants had left Libya. Human Rights Watch reported that the bodies of 53 apparent Gaddafi supporters had been found on 23 October apparently executed by rebel militias.

On 20 October 2011, Gaddafi was captured and died in custody under questionable circumstances. Human rights violation and amnesty international strongly urged for an investigation into Gaddafi’s death, and stated that if Gaddafi had been deliberately killed in captivity, the act could constitute a war crime. The Office of the High Commissioner for Human Rights (OHCHR) supported the announcement of an investigation into Gaddafi’s death, and reminded that all detainees should be awarded due process. The NTC heeded the calls of the OHCHR and civil society groups, and announced it would launch an investigation into the circumstances of Gaddafi’s death on 20 October 2011.

Genocide:

This is a term used to describe a deliberate killing of a large groups of people, ethnic, racial or religious groups of people with the intent to destroy the entire group. Genocide came into general usage after the world war 11 when the full extent of the atrocities committed by the Nazi regime against European jews during that conflict and became known. It was declared in 1948 by the United Nations that genocide is an international crime.

War crimes:

A war crime means an act or omission committed during an armed conflict that, at the time and in the place of its commission, constitutes a war crime according to customary international law or conventional international law applicable to armed conflict, whether or not it constitutes a contravention of the law in force. These crimes include:

1. taking hostages,
2. child soldiers,
3. raping,
4. intentionally killing citizens,
5. torturing, etc

Crimes against humanity:

These are certain acts that are purposely committed as part of a widespread or systematic attack directed against any civilian or an identifiable part of a civilian population. The first prosecution for crimes against humanity took place at the Nuremberg trials. Crimes against humanity have since been prosecuted by other international courts for example; the international criminal tribunal for the former Yugoslavia, the international criminal tribunal for Rwanda. The offenses include:

1. Murder
2. Extermination
3. Enslavement
4. Deportation
5. Mass systematic raping
6. Forced abortions
7. The enforced disappearance of persons.

Ethnic cleansing:

This came as a term which came into existence in 1992 during the world war in the former Yugoslavia. It was initially applied to describe Serbian attacks on Bosnia Muslims with the intention of driving the Muslims from territory claimed by the Bosnian Serbs. This is the killing of members of one ethnic or religion group in a area by those of another. It is the systematic forced removal of an ethnic, racial or religious group from a territory by a powerful ethnic group. Example of such is Armenia massacre by the Turks in 1915-1916