

The Role of International Law in Combating Genocide: A Legal Analysis

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Abstract: Genocide and similar crimes have plagued humanity for ages. Even though the objective of international law, which was enacted after World War II, was to put an end to genocide, atrocities nonetheless occur frequently today due to the shortcomings in dealing with the crime. This paper analyses the international legal framework governing the prevention of genocide. It thoroughly reviews the provisions of the Genocide Convention and customary law obligations and how the concept of genocide is applied in different contexts. It examines the challenges posed by current international law's definition of genocide and potential advancements under international law. Furthermore, it shows the International Criminal Tribunals' ineffectiveness in preventing and prosecuting genocide. Although there has been progress in international law to prevent genocide, it remains the most serious threat to humanity. This paper finds that, despite significant advances, fundamental shortcomings still exist in the international legal framework for genocide. Hence, it provides recommendations that could be potentially useful in successfully preventing the crime of genocide. Finally, the paper concludes that the current international framework for genocide is ineffective in preventing and punishing the perpetrators of genocide.

Keywords: *United Nations, genocide, killing, prosecution, convention*

Introduction: Genocide usually means the intentional and planned extermination of a group of people due to their race, nationality, religion, or ethnicity. It is considered the worst crime against humanity. It is an awful strategy used for the colonization of people and land. Throughout history, various forms of killing and damage to eliminate a specific nationality, religion, or racial group have occurred. After the end of World War II, this idea of genocide started to gain wide acceptance when the full extent of the Nazi regime's brutality against European Jews during that conflict was recognized. Throughout the 20th century, approximately 200 million people died because of genocide [1]. Examples from the last century include the Nazis' genocide of the Jews, the killing of the Armenians in Turkey, the genocide in Bangladesh in 1971, the "ethnic cleansing" in Bosnia and Serbo-Croatia in the 1980s, the atrocities in Rwanda in 1994, and most recently in Sudan starting in 2003, Somalia, Zimbabwe, and Myanmar.

The crime of genocide was officially recognized as a crime by the United Nations with the adoption of the Convention on the Prevention and Punishment of the Crime of Genocide 1948 [2]. The Convention mandates the parties to take necessary steps to combat genocide by adopting appropriate laws and prosecuting the offenders. In 1946, the United Nations General Assembly made genocide a crime punishable under international law. Since then, the international community of states has universally recognized the prohibition of genocide as a *jus cogens*, or absolute norm, from which no state can deviate. In 1951, the International Court of Justice considered the prohibition of genocide a customary law [3]. The International Criminal Court is just one of several existing international and ad hoc criminal courts and tribunals with jurisdiction concerning genocide. Although many jurisdictions have recognized genocide as a crime, there have been several instances of genocide that have happened throughout the last century. The international community has failed poorly in combating this crime.

Concept of Genocide: It is essential to decide how to define "genocide" before beginning any investigation into the topic. Genocide is determined by several academic disciplines using the viewpoint that best serves their objectives. However, recognizing genocide is crucial for identifying, reacting to, and punishing the crimes. This enables genocide victims to receive sufficient reparation and validates their suffering. It also allows legal accountability for such atrocities and contributes to the prevention of future genocides. In 1944, Raphael Lemkin created the term "genocide." The term "genocide" was coined by combining the Latin word "cide," which indicates "killing," with the Greek word "genos," which denotes "race." Lemkin described genocidal activities as the systematic destruction of a population. Although the executions are targeted at specific individuals, the overarching goal is to eliminate the entire group to which that individual belongs [4]. The United Nations has created an official definition of genocide for all legal proceedings. According to Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide 1948, Genocide means any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial, or religious group:

- (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,

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- (d) Imposing measures intended to prevent births within the group,
- (e) Forcibly transfer the children of the group to another group [5].

Different Aspects of Genocide: Genocide has a long history, dating back to ancient times and continuing into the present. This is a topic that covers multiple academic areas. Genocide has been examined by experts in various fields. The following areas provide various perspectives on the issue of genocide:

Legal aspect of Genocide: In 1948, the Convention on the Prevention and Punishment of the Crime of Genocide was enacted. This Convention established legal obligations for the states to prevent genocide. As part of ratifying the convention, every nation had to make genocide a crime under its national legislation [6]. The articles of the Genocide Convention became so significant that it swiftly led to an international prohibition on genocide and the status of *jus cogens*. As a result, all members of the Convention, as well as non-ratifying states, are now universally obligated to fight against genocide. Since the passing of this convention, two U.N. tribunals have been established: the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR). These tribunals have been responsible for applying the Convention to genocidal cases. Unfortunately, there is rarely any punishment.

Psychological aspect of Genocide: Psychology, or the study of behaviour and mental processes, has also contributed to the study of genocide. Ervin Staub spent several years studying genocide. He proposes the theory of "psychological theory of genocide," which identifies the causes of genocide. This theory points out that genocide is more likely to take place when the perpetrator's identity is threatened by another individual or group. Because of personal traits and cultural beliefs, the perpetrator feels detached from his moral responsibilities. This causes the offenders or party to inflict violence against others [7].

Political science aspect of genocide: Political scientists have studied genocide through the lens of both power and politics. American political scientist R. J. Rummel, in his book named "Democracy, Power, Genocide, and Mass Murder," argues that there is a clear link between political dominance and genocide. He suggested that under democratic governments, genocide happens less frequently. Rummel discovered that the probability of genocide proliferates as one advances from a democratic country to a totalitarian regime. As a country's power structure gains more control over the economic, political, and cultural activities and people that live within its borders, its potential for arbitrary power grows. Rummel believes that the more power the authority has, the more likely people will be killed. When authority is divided, controlled, and balanced, there is less likelihood of violence [8].

Sociological aspect of Genocide: Genocide has been examined in sociology as a social fact resulting from the structural and cultural character of society. To study genocide, sociologists have concentrated on the ideas of ethnic violence and the practice of violence. Ethnic conflicts can lead to terrorist acts, extremism, civil conflict, or genocide. Williams discovered that the extent of division among ethnic groups, injustice, and fear of exclusion all enhanced the chance of ethnic conflict. It is more likely to occur if there is disagreement over social norms such as dialect, faith, democratic freedoms, and economic parity. Another critical component in ethnic conflict is the interaction between ethnic groups and the state. Ethnic conflicts have been more common since World War II due to the establishment of new multiracial nations and the introduction of new ideologies [9]. The most significant example of an ethnic conflict that results in genocide occurred in Rwanda in 1994. From April to July 1994, a Hutu extremist-led government massacred about 800,000 Tutsis and Hutus as part of a plan to wipe out the entire Tutsi minority, as well as everyone who disagreed with the government's objectives [10].

The History and Contents of the Genocide Convention: The concept of genocide was first presented to the international community in 1915, a year following World War I broke out. It was in a letter sent to the Central Powers by the Allies of WWI condemning the infamous Ottoman genocides taking place, notably the Armenian genocide, the Assyrian genocide, and the Greek genocide. While in World War II, about six million Jews were killed by Nazi Germany's leaders and collaborators, along with 300,000 physically or mentally disabled people, many thousands of Roma, an unspecified number of political opponents, and non-Jewish [11].

Though Hitler's regime was full of severe mass killing programs and intense atrocity, it was still hidden until the Allies emerged victorious in World War II. They believed that justice could be served by the Nuremberg trial established to try Nazi officials. However, the International Military Tribunal established in Nuremberg found insufficient evidence in relevant international law to convict most of the offenders. That's why only a minimum number of Nazis were prosecuted [12]. On the other hand, as the primary focus of the tribunal was to prosecute the crime that occurred during the war, the tribunal didn't prosecute the crime that happened before WW2 [13]. The Convention on the Prevention and Punishment of the Crime of Genocide was adopted because of the consequences of this. On December 9, 1948, it was unanimously approved by the United Nations members, and on January 12, 1951, it came into force. According to Article 1 of the Genocide Convention 1948, committing genocide is a violation of international law both during times of war and peace [14].

Notably, the Genocide Convention obliges governments to prohibit, prevent, and bring legal action against individuals or groups who commit genocide both inside and outside their borders. Therefore, both national and global implementation issues are addressed by the Genocide Convention's provisions. Regionally, Article V of the Genocide Convention mandates the countries to

accuse and prosecute individuals who are suspected of committing genocide within their respective jurisdictions, as well as establish genocide as a crime in their national laws [15].

The Genocide Convention, therefore, contains mechanisms for international enforcement. By the Genocide Convention's Article VIII, state parties may request action from United Nations agencies; by Article IX, states may appeal to the International Court of Justice about their disagreements regarding the performance of treaty obligations; and by Article VI, an international tribunal may be established to try those who are accused of committing genocide. The Convention gives other states a way to react if a party state starts its genocidal campaign. They cannot stand there.

Genocide legislation imposes enormous obligations on governments, and it is primarily established in a single treaty. However, it is incorrect to claim that the prohibition on genocide is only a treaty law that only applies to those who have ratified it. The provisions of the Genocide Convention, on the other hand, have become *jus cogens*, which means that they now involve both rights and obligations. The International Court of Justice declared that the prevention of genocide is a *jus cogens* norm from which there cannot be any deviation and that the convention's principles apply to all states regardless of any preexisting agreements [16]. Furthermore, because the prohibition against genocide is a *jus cogens* norm, all states have the right to prosecute those who violate it, regardless of where the crime was first committed. Because of its universally binding nature, every country has an obligation to comply with it, irrespective of national legislation. If a country fails to enact national legislation, *jus cogens* continues to be in effect. In other words, prosecuting the perpetrator of genocide is applicable to all states regardless of their national law. Therefore, a government must prevent and punish the offenders of genocide both inside and outside of its territory, even if it has not ratified the Genocide Convention.

The Genocide Convention states that to stop the crime of genocide in conformity with United Nations goals and in recognition of the fact that most genocides are state-sponsored and call for outside intervention to put an end to them, international cooperation is required. The Genocide Convention gives the international community a range of options for what to do, all of which align with the organization's goals that make the convention successful.

The United Nations Charter: Articles VI, VIII, and IX of the Genocide Convention deal with international cooperation through United Nations institutions to prevent and combat genocide. The Genocide Convention only has these three clauses to address the crime.

Article VIII of the Genocide Convention says that any contracting party can ask the relevant United Nations institutions to take steps to stop genocide in line with the United Nations Charter. This article examines the global efficacy of the Genocide Convention within its fifteen nations because it is only the Security Council that has the power to make legally binding decisions or use force. When there is a threat to global peace and security, the Security Council has the authority under the United Nations Charter to urge disputing parties to resolve their disagreements peacefully [17].

The Security Council is empowered by the United Nations Charter to adopt various coercive measures, such as severing diplomatic ties, imposing economic penalties, and deploying troops in situations that it believes pose a danger to or violate international peace and security [18]. Situations involving genocide are highly relevant to this power. The security and peace of the world are constantly threatened by genocide. It is a catalyst for intrastate and interstate conflict. The "spirit of vengeance" engendered by mass annihilation can last for generations, both in the state where they take place and in states where "connected parties undertake action to avenge the crime" [19]. As a result, the Security Council must continuously recognize the potential of genocide and take action to stop it. The Security Council has the authority and responsibility to deploy armed forces and dispatch them to the nation where the genocide is taking place if efforts to stop it peacefully fail.

Status of Genocide in International Law:

Hostis humanis generis: Genocide is viewed as a crime against humanity, not only against particular victims or groups of people [20]. The Latin word "*Hostis humani generis*" corresponds to "enemy of all mankind" in English. Thus, people who commit genocide are the enemies whose actions harm all of humanity.

In *Prosecutor v. Krstic*, it was stated that genocide is one of the severe crimes that this tribunal is required to prosecute. The scope of the crime is terrible, and those responsible want to wipe out entire human communities. It is a crime against the entire human race because it affects all of humanity as well as the group that was selected for extermination [21].

Jus cogens: Genocide is now recognized under *jus cogens* and is covered under customary international law.

Erga Omnes: Genocide prevention has become a universal principle of international law. So, the law against the crime has no exceptions, and neither the law against the crime nor the definition of the crime can be changed or overturned by a treaty.

Wide scope of prosecution: The contracting parties declare that genocide, whether committed during a conflict or in peacetime, is a crime under international law that they would condemn and punish.

Universal jurisdiction: Under Article 6 of the Genocide Convention of 1948, non-state signatories to the convention may exercise universal jurisdiction over individuals accused of genocide; international courts may prosecute the accused.

Extradition: Extradition, in international law, is the process by which one state, upon the request of another, effects the return of a person for trial for a crime punishable by the laws of the requesting state and committed outside the state of refuge [22]. It is mentioned under Article 7 of the Genocide Convention of 1948 that genocide and its attendant crimes are not considered political offences for the sake of extradition. State parties must agree to send criminals back to their homes to prosecute them under their national legislation or prosecute on their own but cannot extradite the offender of genocide as a political prisoner.

State Responsibility for Genocide in International Law: State responsibility generally refers to the state's obligation to prevent genocide, punish the perpetrators, and be held responsible for committing genocide as a state. However, when it comes to proving genocide, responsibility as a state and as a person vary. Any individual is held accountable for genocide if he possesses genocidal intent; to make a state liable, it is not necessary to prove that the state had genocidal intent. What matters is to prove that the state had control over the people who perpetrated genocide under the disguise of the state. [23].

Attribution: Attribution, or proving a link between the state and the actual perpetrator, is the most important thing to happen for the state to be held accountable. The determining criterion in establishing state responsibility is whether the individuals or groups working within the state are acting on behalf of the state, or at least could be. If not, the state cannot be found responsible [24]. Many International Law Commission articles, such as article 4, article 5, article 6, and article 7, concentrate on state accountability and attribution. If a group operates on behalf of the state, even if it violates the state's orders or exceeds its allotted authority, its actions will be traceable to the state [25]. Article 4 of the ILC article addresses the de jure organs of a state, while Article 8 allows the state to be held accountable for the actions of its de facto organs.

State responsibility for actions perpetrated by outsiders: A general principle of state responsibility implies that a state is not liable for private people's actions, even if they occur within the jurisdiction of the state. However, in some cases, private individuals may act on behalf of a state, resulting in attribution to the state. In the *Nicaragua Test of Control* case, the International Court of Justice held that to hold a state liable, it must prove that criminals have acted under the state's guidance and control [26].

State Responsibility in the Genocide Convention: The Genocide Convention was established primarily to prosecute individuals and make them accountable for their genocide-related crimes. However, states are frequently complicit in genocide; state organs have methodically executed it, as in Nazi Germany, or more covertly helped non-state parties financially, as in the Bosnian Genocide [27]. During the drafting of the Convention, the contracting states held divergent opinions on whether they could be held accountable for genocide. The Convention imposes some responsibilities on governments, but it does not permit a state to be guilty of genocide. The Convention's Article III, paragraph (a), declares that genocide is a criminal act. Still, Article IV specifies that only those who commit genocide or any of the other offences listed in Article III will be punished. Article IV addresses individual criminal accountability, not a state's obligation.

Article IX mentions state responsibility by stating that conflicts between contracting parties over the interpretation of the Convention, such as those referring to the responsibility of a state committing genocide listed in Article III, shall be addressed to the ICJ. Although the general notion of state responsibility for genocide has *jus cogens* status, the problem with Article IX is that if the case does not involve the interpretation or application, access to the ICJ is rejected. In other words, if state responsibility is deemed absent in the convention and a dispute regarding state responsibility does not touch any of the geographical areas stated in the Article, then the ICJ lacks jurisdiction for such a case [28].

In *Bosnia and Herzegovina v. Yugoslavia*, Yugoslavia challenged the jurisdiction of the International Court of Justice, based on Article IX, stating that the Convention only covers the state's commitment to prevent and punish genocide, not to commit it. In response to this contention, the court determined that including state obligations in Article IX did not exclude any state obligation. The tribunal considered a broader view of Article IX to acquire jurisdiction over the case [29].

The Role of Making Genocide a National Crime:

Incorporation: Article VI of the Convention on the Prevention and Punishment of Genocide defines territorial jurisdiction. This article clearly states that any individual who commits genocide on the territory of any state must be tried by a national tribunal. It also implies that, regardless of the victim's or perpetrator's citizenship, genocide must be declared a crime and prosecuted on state territory [30]. At its most basic, the convention requires state parties to prevent genocide by incorporating its provisions into domestic legislation.

The National Role of the International Criminal Court: The Genocide Convention establishes genocide as a national crime, but also authorizes an international court to decide cases under Article VI. The Convention prioritizes domestic prosecution, although an international tribunal may hear cases involving genocide. As per the Article 17 of the Rome Statute, states must always be allowed to conduct national prosecutions before the ICC takes jurisdiction. However, if such proceedings are not held or "fake prosecutions" are initiated, then the ICC may get jurisdiction [31].

Criticisms of Domestic Criminalization: Domestic criminalization of genocide refers to how a country addresses the crime of genocide and how its legal system prosecutes and punishes the perpetrators. The weakness of domestic criminality in the Genocide can be looked at from two viewpoints. In the first instance, a domestic form of criminalization is ineffective if future genocide committers are government officials. This prosecution will probably not happen because either those officials remain in

office or because, if a new administration takes office, an agreement on impunity may have been made. The second difficulty is that it frequently makes the state incapable of stopping individual offenders because of many factors. If the criminal is a political figure, the government refuses to prosecute him out of concern for possible retaliation. States also fail, as sometimes the prosecutor faces threats or violence, which creates a culture of impunity. It means that even though the state has the authority to bring them to justice, in some cases the state does not want to act since the offenders are more robust than the state. Therefore, the scope of accountability for the perpetrators of genocide is limited.

The Role of Taking Practical Steps to Prevent Genocide: Article V of the Genocide Convention States about states obligation to prevent genocide. But this article makes no explicit mention of what obligations this convention imposes on the state. Therefore, some academics overlook Article V of the Genocide Convention since there is a lack of practical guidance for adopting domestic laws, unclear enforcement mechanisms, and a lack of insufficient monitoring systems. However, some argue that Article V of the Convention may have established the obligation broader than thought. They propose expanding this article to include practical obligations on states to prevent genocide. Nonetheless, it gives the advantage of allowing each state to act according to its resources and needs. The drawback is that because the duties are not explicitly stated, it is unclear if a state will adhere to them.

Possible Prevention Measures: On the 10th anniversary of the horrific Rwandan genocide in 2004, UN Secretary-General Kofi Annan presented a five-point action plan for genocide prevention. The five-point action plan consists of: 1. preventing armed conflict; 2. defending people during armed conflict; 3. ending the culture of violence; 4. calling for proper and timely warning; and 5. acting quickly and taking decisive action [32]. However, genocide is usually recognized only after the crime has been carried out. Therefore, it is essential to amend the current regulations and create new ones in accordance with Kofi Annan's action plan for the purpose of preventing genocide. This will help to identify and stop the genocide before it occurs.

The Role of Preventing Genocide Wherever It Happens in the State Parties to the Convention: In the case of *Bosnia and Herzegovina v. Yugoslavia*, Judge Lauterpacht declared that every state of the Genocide Convention's as well as non-contracting states are bound by the duty to prevent genocide. He claims it is a legal obligation owed by one state to the other states. These obligations are not bound by territory but rather apply universally. He pointed out that all convention parties must actively work to prevent genocide wherever it occurs, even on other state's territories. He further extends that these obligations are not only derived from the convention but also have the status of customary international law. [26]. It is commonly acknowledged that the right to prevent genocide has been elevated to *erga omnes* status. The ICJ has also previously acknowledged the *erga omnes* part of the obligation to prevent genocide, and Ragazzi believes that genocide is an undeniable *erga omnes* right [27]. This suggests a far greater responsibility than simply declaring genocide illegal or even preventing it at home.

Findings: The effectiveness of the UN Convention on the Prevention and Punishment of the Crime of Genocide has been questioned for 75 years. Regarding the specific actions that nations are allowed or required to take to prevent or repress genocide, the Genocide Convention is silent. Other international treaties are insufficient in this way without the Genocide Treaty. Numerous factors, including judicial limitations, a lack of evidence, legal flaws, an absence of political will, and a lack of enforcement tools, are readily apparent. There is a view that if a catastrophe can indeed be identified before it happens, the international community can intervene to prevent innocent lives from being lost. We must figure out why the political, legal, and historical systems we already have haven't been able to stop this, even though international law has been used for decades to prevent genocide. The following are the main findings of this paper:

1. Both the Convention and customary international law, which are derived from state practice and *opinio juris*, prohibit genocide. Although many variables contribute to the continuous prevalence of genocide and acts that have characteristics of genocide, the global legal system bears some of the primary responsibility. However, international law plays an essential role in preventing genocide in several ways. The most important contribution was bringing genocide under universal jurisdiction. Under international law, governments are required to declare genocide a national crime, which is a powerful instrument of international law for preventing genocide. Most crucially, the convention stated that genocide must be prevented whenever it occurs on the land of any state, not only within its boundaries. Therefore, regardless of the victim's nationality or the location of the crime, every government is obligated to punish the perpetrators. It exemplifies the influential role of international law.
2. In some circumstances, international law was successful in preventing it. For example, Kosovo, East Timor, Macedonia, Sierra Leone, Liberia, Côte d'Ivoire, Kenya, and Burundi are the countries where genocide has been successfully stopped. International law also actively punishes the perpetrators; the International Criminal Court and other international tribunals have also been established, which is also a landmark achievement in international law.
3. When atrocity occurs, the term "genocide" itself is used far too slowly and cautiously because international law does not want to show a state to be guilty of genocide. Lack of enforcement mechanisms and political constraints are the main factors behind it. Another significant issue with genocide is its structure. The restrictive nature of the definition of genocide provided in this provision has meant that the range of protection against genocide is limited and arguably insufficient. Because of legal malpractice under the clause "lack of intent," referring to the crimes as "acts" of genocide but not genocide, the perpetrators are still outside the scope of the International Criminal Court's jurisdiction.

4. The convention emphasizes prevention, and countries may request United Nations assistance if they have evidence of genocide. However, the implementation has been awful. Article 43 of the U.N. Charter was meant to establish a global police and armed forces force. However, the Permanent Five members of the Security Council do not want them to compete with their nuclear-tipped armies; therefore, they have never been deployed.

Recommendations: The world declared "Never Again" after the United Nations enacted the Genocide Convention in 1948. However, the 20th century's history showed that what was meant to be "never again" became "again and again." The United Nations' commitment was repeatedly breached, as almost 200 million people were killed in genocides and other acts of mass murder, more than in all the world wars combined in the 20th century. The following suggestions are meant to fix the law's shortcomings. These suggestions, if followed, would significantly improve the detection, prevention, and conviction of genocide:

1. Given the international environment, there is room for improvement because state laws to prevent genocide are unsatisfactory, even though international law has sometimes been incorporated into domestic legislation. International law must play a constructive role by compelling nations to adopt effective legal systems.
2. A definite framework with no political undertones should be in place for dealing with genocide at the state level. International law should establish a common practice that all states must abide by to achieve equal justice.
3. The burden of establishing a specific intent to develop genocide should be lifted. The purpose criteria of a Genocide Convention are instead met if the perpetrator acted in continuation of a coordinated attack on members of a protected category and understood that the predictable result of the campaign was indeed the complete extinction of the group, wholly or partially.
4. The International Criminal Court ought to have jurisdiction over any act of genocide committed anywhere. Even though genocide law applies everywhere, national courts have not been able to successfully prosecute people accused of committing genocide. The International Criminal Court should prosecute those liable under its jurisdiction in all circumstances.
5. There is a need to change the U.N. genocide prevention office's belief that only courts can define "genocide" by passing a resolution in the U.N. Security Council. The Special Advisor should be permitted to brief the Security Council in order to prevent genocide before it occurs.
6. Under Article 43 of the U.N. Charter, a global police and armed forces force should be established immediately so that they can prevent genocide before it happens.

Conclusion: Genocide and mass atrocities have affected humanity for a long time. Genocide and the acts associated with genocide have resulted in millions of deaths in the post-World War II period. This isn't because genocide and acts that resemble genocide have some intrinsic, insurmountable nature; instead, it's because of our self-interest and the inadequate structures we've built to cope with the crimes. The United Nations created the international law of genocide in a manner that is both imprecise and insufficient. The legal framework is shown to be incomplete because it gives some states a legal reason to prevent and prosecute genocide but not others. It doesn't do enough to protect possible victims of genocide and crimes that are like genocide. At the same time, it gives people the opportunity to commit such crimes. Therefore, despite the repeated promises of the world community to prevent genocide, horrific realities of a genocidal nature remain. Even if progress has been made in international law to combat genocide, it remains the greatest threat to humanity due to the absence of law enforcement mechanisms and the law's vagueness. It is only possible to combat genocide by eliminating these loopholes.

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