

Protection Against Genocide

Mission Impossible?

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Protection Against Genocide

Elizabeth G. Ferris



Protection Against Genocide:

Protection Against Genocide Neal Riemer, 2000-03-30 Without succumbing to utopian fantasies or realistic pessimism Riemer and his contributors call for strengthening the key institutions of a global human rights regime developing an effective policy of prudent prevention of genocide working out a sagacious strategy of keenly targeted sanctions political economic military judicial and adopting a guiding philosophy of just humanitarian intervention They underscore significant changes in the international system the end of the Cold War economic globalization the communications revolution that hold open the opportunity for significant if modest movement toward strengthening key institutions The essays explore key problems in working toward prevention of genocide They highlight the existence of considerable early warning of genocide and emphasize that the real problem is a lack of political will in key global institutions Sanctions especially economic sanctions may punish a genocidal regime but at the expense of innocent civilians Thus more clearly targeted sanctions are seen as essential The argument on behalf of a standing police force to deal with the crime of genocide as they show is powerful and controversial powerful because the need is persuasive controversial because political realists question its cost and political feasibility Implementing a philosophy of just humanitarian intervention requires an appreciation of the difficulties of interpreting those principles in difficult concrete situations A permanent international criminal tribunal to deter and punish genocide they argue will put into place a much needed component of a global human rights regime A thoughtful analysis for scholars and students of international politics and law and human rights in general **United Nations**

Protection of Humanity and Its Habitat Bertrand G. Ramcharan, 2016-08-01 This book is a study of the future of international law as well as the future of the United Nations It is the first study ever bringing together the laws policies and practices of the UN for the protection of the earth the oceans outer space human rights victims of armed conflicts and of humanitarian emergencies the poor the vulnerable and the disadvantaged world wide It reviews unprecedented dangers and challenges facing humanity such as climate change and weapons of mass destruction and argues that the international law of the future must become an international law of security and of protection It submits that the concept of international security in the UN Charter can no longer be restricted to situations of armed conflict but must be given its natural meaning whatever threatens the security of humanity It calls for the Security Council to perform its role as the guardian of the security of humankind and sees a leadership role for the UN Secretary General in analysing and presenting challenges of international security and protection to the Security Council for its attention Written by a seasoned scholar practitioner of international law and the United Nations who has served in key policy peacemaking peacekeeping and human rights positions in the United Nations this book offers indispensable new vistas of international law and policy and the future role of the United Nations **International Law and Policy on the Protection of Civilians** Stuart Casey-Maslen, Tobias Vestner, 2022-08-25

This is the first comprehensive treatment of international law and policy on the protection of civilians in armed conflict In

addition to international humanitarian and human rights law jus ad bellum disarmament law and international criminal law are all critical to civilian protection The book offers in depth analysis and explanation of the normative framework while also outlining and discussing the policies of concerned States and international and humanitarian organisations The role of the United Nations as a key actor is considered along with regional organisations such as the African Union the European Union and NATO Particular attention is given to those at direct risk of harm during armed conflict including children women persons with disabilities and LGBTI persons

The Protection of Cultural Heritage During Armed Conflict Noelle Higgins, 2020-04-13 This book analyses the current legal framework seeking to protect cultural heritage during armed conflict and discusses proposed and emerging paradigms for its better protection Cultural heritage has always been a victim of conflict with monuments and artefacts frequently destroyed as collateral damage in wars throughout history In addition works of art have been viewed as booty by victors and stolen in the aftermath of conflict However deliberate destruction of cultural sites and items has also occurred and the Intentional destruction of cultural heritage has been a hallmark of recent conflicts in the Middle East and North Africa where we have witnessed unprecedented systematic attacks on culture as a weapon of war In Iraq Syria Libya Yemen and Mali extremist groups such as ISIS and Ansar Dine have committed numerous acts of iconoclasm deliberately destroying heritage sites and looting valuable artefacts symbolic of minority cultures This study explores how the international law framework can be fully utilised in order to tackle the destruction of cultural heritage and analyses various paradigms which have recently been suggested for its better protection including the Responsibility to Protect paradigm and the peace and security paradigm This volume will be an essential resource for scholars and practitioners in the areas of public international law especially international humanitarian law and cultural heritage law

The Weaknesses in the International Protection of Minority Rights Javaid Rehman, 2021-10-05 The issue of minority rights continues to occupy a sensitive position in international law Historical as well as contemporary events show that the subject is also capable of engulfing the international community as a whole The contention of the present study is that international law is in itself a difficult medium for providing adequate rights for minorities and for effectively safeguarding those rights This volume analyses the weaknesses in the international protection of minority rights through a detailed examination of the practices and policies of Pakistan Thought provoking and original in its approach this volume will prove to be of enormous value to international human rights lawyers and to scholars engaged in the study of minority rights in South Asia and Pakistan

Recueil Des Cours, Collected Courses, 1983, The Academy is a prestigious international institution for the study and teaching of Public and Private International Law and related subjects The work of the Hague Academy receives the support and recognition of the UN Its purpose is to encourage a thorough and impartial examination of the problems arising from international relations in the field of law The courses deal with the theoretical and practical aspects of the subject including legislation and case law All courses at the Academy are in principle published in the

language in which they were delivered in the Collected Courses of the Hague Academy of International Law

The Crime of Destruction and the Law of Genocide Caroline Fournet, 2016-03-16 This highly original work provides a thought provoking and valuable resource for researchers and academics with an interest in genocide criminology international organizations and law and society In her book Caroline Fournet examines the law relating to genocide and explores the apparent failure of society to provide an adequate response to incidences of mass atrocity The work casts a legal perspective on this social phenomenon to show that genocide fails to be appropriately remembered due to inherent defects in the law of genocide itself The book thus connects the social response to the legal theory and practice and trials in particular Fournet's study illustrates the shortcomings of the Genocide Convention as a means of preventing and punishing genocide as well as its consequent failure to ensure the memory of this heinous crime

Protecting Animals Within and Across Borders Charlotte E. Blattner, 2019 How can we protect animals more effectively both at home and abroad given the ongoing globalization of animal production This book provides a catalogue of options for extraterritorial jurisdiction which states can employ to strengthen their animal laws It offers top down perspectives drawn from general international law and trade law and complements them by a bottom up view from the perspective of animal law

The Epistemic Injustice of Genocide Denialism Melanie Altanian, 2024-04-23 The injustice of genocide denial is commonly understood as a violation of the dignity of victims survivors and their descendants and further described as an assault on truth and memory This book rethinks the normative relationship between dignity truth and memory in relation to genocide denial by adopting the framework of epistemic injustice This framework performs two functions First it introduces constructive normative vocabulary into genocide scholarship through which we can gain a better understanding of the normative impacts of genocide denial when it is institutionalized and systematic Second it develops and enriches current scholarship on epistemic injustice with a further underexplored case study Genocide denialism is relevant for political and social epistemology as it presents a substantive epistemic practice that distorts normativity and social reality in ways that maintain domination This generates pervasive ignorance that makes denial rather than recognition of genocide appear as the morally and epistemically right thing to do By focusing on the prominent case of Turkey's denialism of the Armenian genocide the book shows the serious consequences of this kind of epistemic injustice for the victim group and society as a whole The Epistemic Injustice of Genocide Denialism will appeal to students and scholars working in social political and applied epistemology social and political philosophy genocide studies Armenian studies and memory studies The Open Access version of this book available at www.taylorfrancis.com has been made available under a Creative Commons Attribution Non Commercial No Derivatives CC BY NC ND 4.0 license Any third party material in this book is not included in the OA Creative Commons license unless indicated otherwise in a credit line to the material Please direct any permissions enquiries to the original rightsholder Funded by Swiss National Science Foundation

The Subjects and Subjectivities of International Criminal Law Emily Haslam, 2024-02-22 This book

provides a critical introduction to the core elements of international criminal law. It does so by provoking thought on what international criminal law is or could be by contrasting the practice of widely recognised state based actors and institutions such as the International Criminal Court with practices associated with non state actors in particular citizens tribunals. International criminal law is now established as an essential legal and institutional response to atrocity. However it faces a series of political and practical challenges. It is vital to consider its limits and potential as well as the ways and extent to which those limitations might be addressed. Many actors with very different visions of its nature and parameters play a role in shaping the meaning of international criminal law whether that be in official or unofficial spaces. This book explores the principles and institutions of international criminal law alongside the alternative visions of it put forward by citizens tribunals. In so doing it encourages reflection on that law's multiple meanings and usages in order to provoke consideration of what it means and might mean to deploy international criminal law today.

Prosecution of Politicide in Ethiopia Marshet Tadesse Tessema, 2018-09-26. This book investigates the road map or the transitional justice mechanisms that the Ethiopian government chose to confront the gross human rights violations perpetrated under the 17 years rule of the Derg, the dictatorial regime that controlled state power from 1974 to 1991. Furthermore the author extensively examines the prosecution of politicide or genocide against political groups in Ethiopia. Dealing with the violent conflict, massacres, repressions and other mass atrocities of the past is necessary not for its own sake but to clear the way for a new beginning. In other words, ignoring gross human rights violations and attempting to close the chapter on an oppressive dictatorial past by choosing to let bygones be bygones is no longer a viable option when starting on the road to a democratic future. For unaddressed atrocities and a sense of injustice would not only continue to haunt a nation but could also ignite similar conflicts in the future. So the question is what choices are available to the newly installed government when confronting the evils of the past. There are a wide array of transitional mechanisms to choose from but there is no one size fits all mechanism. Of all the transitional justice mechanisms namely truth commissions, lustration, amnesty, prosecution and reparation, the Ethiopian government chose prosecution as the main means for dealing with the horrendous crimes committed by the Derg regime. One of the formidable challenges for transitioning states in dealing with the crimes of former regimes is an inadequate legal framework by which to criminalize and punish egregious human rights violations. With the aim of examining whether or not Ethiopia has confronted this challenge, the book assesses Ethiopia's legal framework regarding both crimes under international law and individual criminal responsibility. This book will be of great relevance to academics and practitioners in the areas of genocide studies, international criminal law and transitional justice. Students in the fields of international criminal law, transitional justice and human rights will also find relevant information on the national prosecution of politicide in particular and the question of confronting the past in general. Marshet Tadesse Tessema is Assistant Professor of the Law School, College of Law and Governance at Jimma University in Ethiopia and Postdoctoral Fellow of the South African German

Centre University of the Western Cape in South Africa div The Oxford Handbook of the International Law of Global Security Robin Geiß, Nils Melzer, 2021-02-16 Understanding the global security environment and delivering the necessary governance responses is a central challenge of the 21st century On a global scale the central regulatory tool for such responses is public international law But what is the state role and relevance of public international law in today's complex and highly dynamic global security environment Which concepts of security are anchored in international law How is the global security environment shaping international law and how is international law in turn influencing other normative frameworks The Oxford Handbook of the International Law of Global Security provides a ground breaking overview of the relationship between international law and global security It constitutes a comprehensive and systematic mapping of the various sub fields of international law dealing with global security challenges and offers authoritative guidance on key trends and debates around the relationship between public international law and global security governance This Handbook highlights the central role of public international law in an effective global security architecture and in doing so addresses some of the most pressing legal and policy challenges of our time The Handbook features original contributions by leading scholars and practitioners from a wide range of professional and disciplinary backgrounds reflecting the fluidity of the concept of global security and the diversity of scholarship in this area *The Challenge of Politics* Douglas W. Simon, Joseph Romance, 2022-01-07 This is a textbook that offers students a good introduction to the science of politics while emphasizing the moral empirical and prudential dimensions of politics Prosper Bernard Jr College of Staten Island The Seventh Edition of *The Challenge of Politics* by Douglas W Simon and Joseph Romance balances classic political theory with contemporary politics to help students understand the fundamental questions of political science The authors relate insights of classic political thinkers both to their modern counterparts and to the political dynamics of American comparative and international affairs With its theme of politics as a scientific study this book allows students to explore the impact of philosophy and ideology to recognize major forms of government to evaluate empirical findings and to understand how policy issues directly affect people's lives **The Protection of Cultural Property in Armed Conflict** Roger O'Keefe, 2006-12-14 Charting in detail the evolution of the international rules on the protection of historic and artistic sites and objects from destruction and plunder in war this 2006 book analyses in depth their many often overlapping provisions It serves as a comprehensive and balanced guide to a subject of increasing public profile which will be of interest to academics students and practitioners of international law and to all those concerned with preserving the cultural heritage *The Scourge of Genocide* Adam Jones, 2013-06-26 *The Scourge of Genocide* collects essays reviews and reportage on the subjects of genocide and crimes against humanity by Adam Jones recently selected as one of Fifty Key Thinkers on the Holocaust and Genocide The volume includes a number of previously unpublished essays and explores a range of debates and approaches in comparative genocide studies such as Genocide pedagogy and visual representation Gender and gendercide The role of media and

communications in genocide The historiography of genocide studies Subaltern genocide or genocides by the oppressed Strategies of genocide prevention and intervention Covering a broad spectrum of theoretical perspectives as well as case studies from the former Yugoslavia Rwanda Guatemala Afghanistan Iraq and Israel Palestine this book is essential reading for all scholars and students of genocide studies political violence and international relations **The Contribution of the Rwanda Tribunal to the Development of International Law /cb** **L.J. Van Den Herik** L. J. Van Den Herik,2005 This book offers a thorough analysis of the establishment and the Statute of the International Criminal Tribunal for Rwanda Furthermore it gives insight into how the Rwanda Tribunal has operated in practice during its first ten years and it examines the case law on the three major international crimes genocide crimes against humanity and war crimes The author provides a balanced judgement of the contribution of the Rwanda Tribunal towards the development of international criminal law emphasizing its strong points in particular the case law on genocide but also exposing its weaknesses in terms of legal reasoning The author also demonstrates the inherent limits of the Rwanda Tribunal due to the political and social situation within Rwanda and due to its own Statute The Responsibility to Protect SONJA GROVER,2018-03-08 This book presents the views of various international law and human rights experts on the contested meaning scope of application value and viability of R2P the principle of the Responsibility to Protect R2P refers to the notion that the international community has a legal responsibility to protect civilians against the potential or ongoing occurrence of the mass atrocity crimes of genocide large scale war crimes ethnic cleansing and crimes against humanity R2P allows for intervention where the individual State is unable or unwilling to so protect its people or is in fact a perpetrator The book addresses also the controversial issue of whether intervention by States implementing R2P with or without the endorsement of the United Nations Security Council constitutes a State act of aggression or instead is legally justified and not an infringement on the offending State s sovereign jurisdiction The adverse impact on global peace and security of the failure to protect civilians from mass atrocity crimes has put in stark relief the need to address anew the principle of responsibility to protect and the feasibility and wisdom of its application and this book is a significant contribution to that effort This book was originally published as a special issue of the International Journal of Human Rights International Intervention Michael Keren,Donald A. Sylvan,2014-04-04 National sovereignty defined as a nation s right to exercise its own law and practise over its territory is a cherished norm in the modern era and yet it raises great legal political and ethical dilemmas This study looks at the problems created by international intervention The Politics of Genocide Jeffrey S. Bachman,2022-09-16 Since the adoption of the Genocide Convention in 1948 and through the present day the United Nations P 5 have ensured that holding any of them accountable for genocide would be practically impossible The Politics of Genocide is the first book to explicitly demonstrate how the permanent member nations have exploited the Genocide Convention to isolate themselves from the reach of the law marking them as outlaw states *The Politics of Protection* Elizabeth G. Ferris,2011-05-01 For the past decade humanitarian actors

have increasingly sought not only to assist people affected by conflicts and natural disasters but also to protect them. At the same time, protection of civilians has become central to UN peacekeeping operations and the UN General Assembly has endorsed the principle that the international community has the responsibility to protect people when their governments cannot or will not do so. Elizabeth Ferris explores the evolution of the international community's understandings of protection with a particular emphasis on the humanitarian community. Protection is a noble word with positive connotations but what does it actually mean in practice? Does providing assistance to vulnerable people protect them, for example? Does monitoring the number of rapes protect women? Does increased engagement in protection activities by humanitarian agencies jeopardize the cornerstone humanitarian principles of neutrality and impartiality? In *The Politics of Protection*, Ferris examines inconsistent ways in which protection is defined and applied. For example, why do certain groups receive international protection while other equally needy groups do not? Her case studies, ranging from Iraq to Katrina, illustrate the challenges and limitations of protecting vulnerable populations from the ravages of war and natural disasters. Ferris argues that the protection paradigms currently in use are inadequate to meet the challenges of the future, such as climate change, protracted displacement, and the changing nature of warfare.

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Protection Against Genocide Introduction

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