

GENOCIDE PREVENTION THROUGH HUMAN RIGHTS MONITORING

***Can human rights monitoring contribute to
an early warning system for genocide?***

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Executive Summary

This dissertation aims to answer the question: Can human rights monitoring contribute to foreseeing and preventing genocide? Genocide prevention has become an important issue, both in the scientific world as well as in international politics. Models of genocide prediction have been established by several genocide scholars, which can determine certain phases that precede the final stage of extermination in a genocide and recognize factors that can be indicative of genocide.

Meanwhile human rights organizations have been collecting data on human rights violations all over the world, but their data have so far not been incorporated in the models for genocide prediction. This thesis outlines why the data collected from human rights groups can be relevant and helpful in the development of models for predicting genocide. Human rights violations will by definition be connected to the state, either because they are perpetrated by state actors or because of the negligence of the state to protect the human rights of its citizens. Genocide has a similar nature since in most historical cases of genocide it was planned by the state. Therefore, by looking at violations of human rights and by looking at the background of victims and perpetrators an assessment can be made of whether these violations are indicative of genocide. The accuracy of the current models can additionally be increased because data collected by human rights organizations will be coming directly from the grassroots level and is up to date, two aspects that are lacking in the current models for genocide prediction. In order to analyse and collect data from human rights groups worldwide, both a system of data collection needs to be established and a model to analyse these data. The current technical requirement for such a system are adequate; software for central data collection of human rights violations already exists and is available to human rights organizations. The model of analysis for human rights violations needs to be further developed, possibly based on existing models for genocide prediction. The factors range, frequency and severity are crucial in this model, since they are able to explain more specifically whether violations are indicative of genocide.

Finally this thesis discusses the possibilities of establishing a centre or institution for genocide prevention. It is possible to establish a new centre that harnesses the capacities of different civil society organisations and is politically independent; the impartial nature of such an institution can contribute to its authority.

Table of Contents

Executive Summary	- 2 -
Table of Contents	- 3 -
List of Abbreviations.....	- 4 -
Introduction.....	- 5 -
Main concepts: Genocide, states and human rights	- 8 -
The timeline of genocide	- 9 -
 Chapter 1: Models of genocide prevention.....	- 13 -
1.1 The HARFF-index	- 14 -
1.2 The Peoples Under Threat Ranking.....	- 16 -
1.3 The Genocide Intervention Network Ranking	- 18 -
1.4 The Failed State Index	- 19 -
 Chapter 2: Collecting and analysing human rights data.....	- 20 -
2.1 Collection and documentation of data	- 21 -
2.2 Analysis of data	- 22 -
2.3 Severity, range and frequency	- 22 -
 Chapter 3: Incorporating human rights into the existing genocide prevention system..	- 26 -
 Conclusion	- 29 -
 References.....	- 31 -
 Appendices.....	- 34 -
Appendix 1: Genocide Watch Ranking 2010	
Appendix 2 The HARFF Index 2009	
Appendix 3 MRGI Peoples under threat ranking 2010	
Appendix 4 Matrix of fundamental human rights	

List of Abbreviations

CSO - Civil Society Organization

GI-N - Genocide Intervention Network

HRC – Human Rights Council

ICC - International Criminal Court

ICG - International Crisis Group

IGO – Intergovernmental Organization

MRGI – Minority Rights Group International

NGO – Non Governmental Organization

UN – United Nations

UNAMIR – United Nations Assistance Mission for Rwanda

UPR – Universal Periodic Review (of the HRC)

Introduction

After the systematic killing of millions during World War II, the world vowed to never allow genocide to happen again. The 1948 Convention on the Prevention and Punishment of the Crime of Genocide was the first step in an international effort to make genocide a crime of the past. However, over the years it has become clear that the international community has not been able to truly prevent or stop mass atrocities. Despite good intentions and attempts at creating mechanisms to prevent genocide, the responses to new outbursts of genocidal violence can consistently be described as too little and too late. In Cambodia, the Former Yugoslavia and Rwanda groups of people were exterminated from society while the international community stood by and watched. Often, political interest -or lack of it- left the victims of genocide helpless. While international law and international politics seem to offer the tools to prevent or stop genocide, the political reality is that no country or international organization has been willing to risk intervention in conflicts where segments of society were exterminated. The promise of 'never again' has become empty in a world where nobody seems willing to put these words into practice.

This raises the question whether genocide is an unavoidable evil. The answer is no. Genocide does not happen overnight, it follows a trajectory towards the actual killing that takes years. This time-span enables observers to pick up the warning signals of genocide before it takes place. In Rwanda in 1994, the international community took months to quarrel about whether or not what was going on could be classified as genocide. By the time they reached the conclusion that it was in fact genocide, hundreds of thousands had already been killed. Since 1994, research on genocide prevention has increased, the tragedy in Rwanda shocked the world and led to more attention for the issue of genocide prevention. In recent years the world saw the creation of several institutions that research genocide with the aim of preventing it. Genocide scholars have created various models to predict genocide, based on certain indicators that can be recognized in a state. By looking at these variables related to social and political matters the risk of genocide in a particular state can be assessed and early warnings for potential violent outbreaks can be given off. Genocide has become a crime that can be predicted and therefore, can be prevented.

Meanwhile, throughout the world non-governmental organizations have been monitoring and documenting violations of human rights. Systems for documentation of human rights violations have been created that offer the chance to analyse large quantities of data. However, in the current models

of genocide prediction violations of human rights are not being taken into account. Even though genocide as such can be described as violations of human rights on a massive scale, the combined data of human rights organisations are not being used in the prediction of genocide. This dissertation will examine the existing models for human rights prediction and determine which indicators are currently being used to determine the risk of genocide in a country. Then, the added value of data on human rights violations for these models will be determined. The central research question of this thesis is:

Can human rights monitoring contribute to predicting genocide?

To answer this question, the following four sub questions will be discussed:

What are the existing models for genocide prediction and how accurate are they?

This question aims to give an impression of the current situation in the field of genocide prevention. By looking at the status quo, an assessment can be made of how successful the current models are in predicting genocide.

What indicators for genocide can be recognised through human rights monitoring?

Answering this question should provide an insight into which of the information collected by non-governmental human rights organizations is relevant for the early warning system for genocide. By assessing which information is required to make a realistic prediction on violent outbreaks, it will be possible to determine what contribution human rights organizations can make to the existing system and what the added value is of information on human rights violations in the prediction of genocide.

What is the best approach to collect and analyse data on human rights violations?

This question deals with the approach needed to collect and analyse the information from different human rights organizations. Both a system for collection of data and a model to analyse this data will be discussed.

How can human rights monitoring be incorporated into the existing genocide prediction models?

Finally, this question will determine what the best approach is to incorporate the analysis of human rights data into the existing models for genocide prevention.

Answering these questions will be accomplished by a literature study focussing both on the field of human rights monitoring and the field of genocide prevention. Firstly, this introduction will provide the reader with the information on the current situation in the field of genocide studies and genocide prevention. The definitions of the main concepts discussed in this dissertation: genocide, state and human rights will be given. Then the timeline of genocide, consisting of eight steps that can be recognized in any genocide will be discussed, providing an essential basis for further explorations of this topic. The introduction will conclude with a description of the current state of affairs in the field of human rights monitoring.

In chapter one, four of the main existing models for genocide prediction will be discussed. Each uses its own methodology and takes different variables into account. By studying the different models, an assessment can be made of which model is best capable of giving off an early warning for genocide. Then, in chapter two the merits of human rights monitoring for genocide will be discussed: which of the violations that are monitored by human rights organizations can help to predict genocide? In chapter three the best way to centrally collect and analyze this information will be looked into. Finally, a conclusion will be drawn on the qualities that human rights monitoring have for genocide prevention and some recommendations will be given on the best way to include a new model for genocide prevention through human rights monitoring into the existing models and institutions.

Although the field of genocide prevention covers and is related to many different areas ranging from psychology to military theory and international politics, this dissertation aims to only deal with the contribution of human rights NGOs to the international system of genocide prevention. Other aspects, such as the political dimension and questions on how to intervene to prevent genocide are beyond the scope of this study. This dissertation focuses on the question what contribution human rights monitoring has to offer to the system of genocide prevention and how this information can be incorporated in the existing models and system of genocide prevention. Not only will it give an analysis of the current academic theory in the field of genocide prevention, but it will also give an insight into the contribution that human rights monitoring and central collection of human rights data can give to improve this system. The fact that in the past the international community did not respond properly to outbreaks of genocidal violence makes it even more urgent to look at ways to improve a system that can detect the signals before genocide takes place. Some might argue that the lack of response in the past was not due to insufficient warning, but rather to insufficient political

determination, but this fact only adds to the necessity to establish an authoritative system of early warning that simply can not be ignored by the international community. As Roméo Dallaire, who was the head of the UNAMIR-troops present in Rwanda in 1994 has stated : “We need to study how the genocide happened not from the perspective of assigning blame...but from the perspective of how we are going to take concrete steps to prevent such a thing from happening again.”(Pryce, 2010, p1)

Main concepts: Genocide, states and human rights

Before any of the research questions can be answered, it is important to first outline the main concepts discussed in this thesis: genocide, state and human rights and to determine how they are linked.

The term genocide was invented in the 1940s by Rafael Lemkin in his book *Axis Rule in Occupied Europe* to describe the systematic killing that took place during the holocaust. Lemkin was also involved in creating the first legal definition of the term genocide in the UN’s 1948 Convention on the Prevention and Punishment of the Crime of Genocide. The definition formulated in Article II of the convention defines genocide as:

“...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.” (Rummel, 2009, p33)

This definition was also adopted by the Rome Statute, the founding statute of the International Criminal Court (ICC) in 1998. Since this definition is the standard of the international (legal) community this is the definition that will be used in this dissertation.

The second definition, of human rights, was also formulated during the aftermath of the atrocities of World War II. In 1948 the newly founded UN adopted the Universal Declaration of Human Rights (UDHR) laying down the fundamental human rights and urging all member states of the United

Nations to respect the human rights of the people living under their jurisdiction. Human rights were defined as: “*inalienable rights of all members of the human family*” and were further specified in the 30 Articles of the UDHR. In 1966 the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) made the rights formulated in 1948 legally binding.

In recent years the academic field of genocide-studies has witnessed a debate about the role of the state in genocide. To clarify this, the concept of state needs to be defined as well. In the context of international law, state can be defined as *a political community formed by a territorially defined population which is subject to one government*. (Hague and Harrop 2001,p6) Some argue that genocide is by definition a state-planned crime, the Holocaust being the primary example of this. However, research on genocide of recent years indicates that other groups, such as militant groups and core constituencies are also needed for genocide to ensue (Mann, 2005, p8). Nonetheless, the definition of human rights that was formulated in 1948 and made legally binding in 1966 clearly indicates that states have the obligation to respect and ensure the human rights of their population. Whether states violate rights of their citizens themselves (in what can be referred to as vertical application of human rights) or allow other -non-state- parties to do so (horizontal application of human rights), both attribute to a violation of human rights. It is in this way that human rights and genocide are inextricably bound up. Not only because by definition genocide entails a violation of human rights on a massive scale, but also because any state that allows genocide to happen to its population is in violation of human rights through omission, or negligence of human rights. In this way states can be held accountable for genocide, whether they are actively participating in it or not.

The timeline of genocide

One of the most important outcomes of the recent developments in genocide studies is the development of a timeline of genocide. In general, people are not inclined to kill, on the contrary; most people are repelled by the idea of murdering someone. Yet, throughout history it has been shown that in most cases of genocide the perpetrators were ordinary civilians or soldiers that had often lived in peaceful coexistence with their victims before becoming their murderers. This dramatic shift of attitude can be explained by a trajectory of dehumanisation of victims and incitement of hatred that finally changes the mindset of perpetrators to a point where they see the killing of their victims as a

necessity. This process is always planned and takes place over years –sometimes even decades- and follows a predictable sequence of events. The founder and president of Genocide Watch and former president of the International Association of Genocide Scholars Gregory Stanton has developed the so-called eight steps of genocide, based on extensive research of previous cases of genocide. In his briefing paper to the US State Department, he recognises the following eight steps of genocide:

- Classification; a common feature in most societies: perceived division in society between ‘us’ and ‘them’
- Symbolization; symbols and names are given to emphasize the differences, these can be physical characteristics such as skin colour. The most well-known of symbols is the Nazi yellow star that Jews in Europe were forced to wear by the Germans during World War II
- Dehumanization; portraying groups as non-human. Jews were portrayed as vermin by the Nazis and Tutsis in Rwanda were described as cockroaches. This dehumanization is the step that permits killing with impunity since the victims are not perceived as human beings.
- Organization; in order for killings to take place on a massive scale some form of organization is required. Depending on the culture this organization takes on different forms, but some form of organization such as distribution of weapons and training of killers is needed.
- Polarisation; the first victims of genocide are generally members of moderate groups that would slow down the killing cycle. By eliminating this element the situation polarizes even further leaving no more room for negotiation.
- Preparation; this stage includes identification and expropriation and in some cases such as during the Holocaust also transportation and concentration.
- Extermination; the actual killing of victims, often described with euphemisms such as purification or cleansing, emphasizing once again on the dehumanized image of victims.
- Denial; every genocide is followed by denial. (Stanton, 1996)

This timeline has been instrumental for the cause of genocide prediction *and* prevention since it allows observers to assess the risk of genocide and at the same time allows certain steps to be taken at each point in the timeline to halt the deadly process. Human rights and monitoring mechanisms

The fundamental human rights formulated in the 1948 Universal Declaration of Human Rights still are essential in the daily work of human rights monitoring organizations worldwide. Because of the basic

nature of these rights, such as the right to life and physical integrity and the protection from torture and arbitrary arrest, these rights still form the basis of human rights monitoring. The fact that these fundamental rights are the standard for all monitoring organizations enables NGOs to unite their effort and -in theory- to share their data on human rights violations in a systematic way. This possibility will be further discussed in chapter 3 of this dissertation.

The role of the UN as the main advocate of human rights and as leading in the prevention of genocide has changed since 1948. The UN would seem the most obvious candidate for taking on the role of a worldwide genocide prevention organ. Already in 1987, then UN Secretary-General Perez de Cuellar called for the creation of a Comprehensive Global Watch that could pick up signs of conflict and communicate them to those who could act to improve the situation. He envisaged a system in which respect for human rights was monitored throughout the world and where violations of these rights would not be left unpunished. The nineties however were a harsh reality check for the ambitious words of Perez de Cuellar. Human rights violations of massive proportions took place in Former Yugoslavia and Rwanda but the UN, present in both areas, was not able to prevent them from happening. The record of the UN when it comes to prevention of widespread violations of human rights and genocide in particular has proven to be very poor. While the movement for human rights has gained a great influence over the last sixty years and human rights have become an issue that can no longer be ignored by any state, the UN has not been capable to intervene when the most basic human rights were violated on a mass basis. In 2004 the UN appointed a Special Adviser on the Prevention of Genocide who *“seeks and receives information relevant to the protection of genocide from all UN bodies, in particular early-warning information, and acts as a catalyst within the UN system, making recommendations for effective prevention responses by the Secretary-General, the Security Council, and other UN partners in a comprehensive system-wide process”* (UN-website, 2010) Nonetheless, from 2003 on the situation in Darfur has once again exposed the UN as passive bystander at a time when their action was most needed. Human rights violations on a mass scale or even genocide –as described by many, amongst whom the US- was again left unchecked by the UN. For many the UN has definitely lost its legitimacy as a leading organization in the prevention and intervention of genocide.

Meanwhile actors in the non-governmental field have gained more and more authority; independent organizations such as Amnesty International and Human Rights Watch have become influential players, realizing concrete results. The international community has recognized this and is now

frequently cooperating with civil society organizations, for example through the Universal Periodic Review of the United Nations' Human Rights Council, that specifically asks for the input of NGOs for their reviews of the human rights situation in countries. In the next chapter the current models of genocide prediction will be examined and the contribution of NGOs towards them will be discussed.

Chapter 1: Models of genocide prevention

The idea that genocide is a process that takes years and follows certain predictable sequences has made it possible to predict it. This knowledge has led to several models of genocide prediction being created over the last ten years. This chapter will look into four different models of genocide that were compiled by some of the prominent scholars and NGOs in the field of genocide prevention. Through the study of these models an assessment can be made of the factors and variables that the existing models take into account when predicting genocide.

Below is the Mass Atrocity Watch List compiled by the Genocide Prevention Project:

MASS ATROCITY CRIMES WATCH LIST 2008-09											
Country	Hartt: Countries at Risk of Genocide and Politicide (May 2008) (out of total score 6)	Hartt Normalized Score	Peoples Under Threat 2008, Minority Rights Group International (out of total score 26)	MRG Normalized Score	The Failed States Index (out of total score 120)	FSI Normalized Score	Genocide Watch (out of total score 7)	GW Normalized Score	GI Net (area of concern= 66; radar area= 33)	GI-NET Normalized Score	Total Score (Sum of Normalized Scores)
Sudan	5.000	1.625	21.600	1.622	113.000	1.208	7.000	1.286	0.666	1.514	7.265
Burma (Myanmar)	5.000	1.625	20.100	1.510	100.300	1.472	7.000	1.286	0.666	1.514	7.007
Somalia	3.000	0.975	22.800	1.712	114.200	1.221	7.000	1.286	0.666	1.514	6.708
Iraq	3.000	0.975	22.600	1.697	110.600	1.182	7.000	1.286	0.666	1.514	6.654
Pakistan	5.000	1.625	19.200	1.442	103.800	1.110	7.000	1.286	0.666	1.514	6.220
DR Congo	2.000	0.650	19.900	1.485	106.700	1.141	7.000	1.286	0.666	1.514	6.006
Sri Lanka	3.000	0.975	18.600	1.247	95.600	1.022	7.000	1.286	0.666	1.514	6.044
Afghanistan	3.000	0.975	20.900	1.570	105.400	1.127	7.000	1.286	0.666	1.514	5.716
Chad			17.600	1.322	110.900	1.166	7.000	1.286	0.666	1.514	5.902
Nigeria	3.000	0.975	18.500	1.420	95.700	1.023	6.000	1.102	0.333	0.757	5.277
Zimbabwe	3.000	0.975	14.300	1.074	112.500	1.205	6.000	1.102	0.333	0.757	5.111
Ethiopia	2.000	0.650	17.200	1.357	96.100	1.027	7.000	1.286	0.333	0.757	5.057
Israel/Palestinian Territories	3.000	0.975	10.700	0.804	83.900	0.854	7.000	1.286	0.333	0.757	4.716
Central African Republic			15.600	1.172	103.700	1.109	5.000	0.919	0.666	1.514	4.714
Burundi	2.000	0.650	14.600	1.112	94.100	1.006	6.000	1.102	0.333	0.757	4.627
Ivory Coast	4.000	1.300	15.700	1.179	85.700	0.916	5.000	0.919			4.514
DRC	4.000	1.300	15.500	1.149	96.100	1.027	7.000	1.286	0.333	0.757	4.219
Uganda	4.000	1.300	13.500	1.014	90.100	0.983	5.000	0.919			4.195
Syria	4.000	1.300	11.100	0.834	90.100	0.983	7.000	1.286	0.333	0.757	4.177
China	4.000	1.300	15.300	1.149	104.600	1.118	6.000	1.102	0.333	0.757	4.125
Cote d'Ivoire	4.000	1.300	12.600	0.946	88.000	0.941	5.000	0.919			4.105
Rwanda	3.000	0.975	13.700	1.029	93.400	0.959	6.000	1.102	0.333	0.757	4.105
Uzbekistan			13.200	0.991	88.000	0.932	7.000	1.286	0.333	0.757	3.986
Colombia			11.600	0.871	97.700	1.045	7.000	1.286	0.333	0.757	3.659
North Korea			11.100	0.834	93.400	0.959	7.000	1.286	0.333	0.757	3.619
Kenya	2.000	0.650	14.600	1.089	94.200	1.067	6.000	1.102			3.646
Niger	2.000	0.650	15.500	1.149	83.300	0.866	5.000	0.919			3.614
Angola	2.000	0.650	13.700	1.029	84.300	0.901	5.000	0.919			3.497
Bosnia & Herzegovina	2.000	0.650	15.300	1.149	95.700	1.023	7.000	1.286	0.333	0.757	3.468
Lebanon			11.300	0.840	87.400	0.934	6.000	1.102			3.405
Georgia			15.100	1.134	83.400	0.862	6.000	1.102			3.128
Philippines			14.100	1.069	83.900	0.891	6.000	1.102			3.062
Indonesia			11.300	0.840	87.400	0.934	6.000	1.102			2.865

Table 1: The Mass Atrocity Watch List 2008-2009

The Genocide Prevention Project is a US-based NGO that aims to contribute to the prevention of genocide, amongst others by compiling this ranking. This Mass Atrocity Watch List is created by compiling and comparing the findings of five of the most respected studies that measure the indicators of mass atrocity crimes. The list depicted here is the latest ranking of 2009, identifying 33 countries at risk of mass atrocity crimes with Sudan leading in the ranking of countries most likely to be faced with genocidal violence. The Mass Atrocities List combines the research of five prominent organizations in the field of genocide prediction (as seen on the right side of Table 1) into one ranking and therefore creates an interesting perspective on the existing models for prediction. In this chapter each one of these models will be discussed and the different variables will be discussed in order to get an idea of the current variables and factors used to determine the risk of genocide. By doing so, the strengths and weaknesses of the respective models can be determined and where possible, the contribution of data on human rights violations to improve the model can be considered. One of the rankings used in the Mass Atrocity List is that of Genocide Watch. This organization however does not publish any data on the methodology of their ranking and therefore it will not be discussed in this dissertation.

1.1 The HARFF-index

The HARFF index (appendix 1a) that is compiled by genocide-scholar Barbara Harff is an index that has been compiled yearly since 2001 and assesses the risk of genocide and politicide (mass political violence) for all the countries in the world. Barbara Harff is one of the leading experts in the field of genocide prevention and is currently an advisor to the UN Special Advisor on the Prevention of Genocide. Her HARFF index of countries is based on a ranking of zero to six, with zero being the minimum and six representing the largest risk of genocide or politicide. It uses the following seven factors, some empirical, some theoretical:

- **Risks of Future Instability:** this variable is based on the stability of the current political system in a country, presupposing that unstable countries are more likely to be host to genocide. Countries with high levels of stability are ranked by Harff with a minus score, as a country with a stable political system is less likely to witness genocide.
- **Targets of State-led Discrimination:** this variable looks at states deliberately limiting the rights of minority groups, in accordance with Stanton's eight step model that assumes that discriminating of certain groups by the state can be one of the first steps toward genocide.

- **Geno-/Politicides since 1955:** this variable is included since countries that have witnessed outbreaks of genocide or politicide in the past are more likely to witness it again.
- **Ethnically Polarized Elite:** this variable flags countries in which access to the political elite is intensely contested along ethnic, tribal, or other communal lines. This polarization in the elite can be dangerous for some groups, when one of these contesting groups is able to seize power.
- **Exclusionary Ideology:** this variable identifies states that impose restrictions on minority groups in its population or even singles out certain groups for persecution, restriction or worse.
- **Regime Type:** this variable measures the level of democracy from full democracy (least chance of genocide) to full autocracies (most chance of genocide)
- **Trade Openness:** assuming that the risk of genocide is lowest in countries with a high level of trade openness as they are more engaged in the international community this variable measures the percentage of import and export of the total gross national product. (Harff, 2009, p4)

Although these factors cover a spectrum of societal and political factors this index does not take into consideration the violations of human rights that can be indicative of an oncoming genocide. The factors that determine this ranking are based on the research of historical cases of genocidal violence. When applied to all instances of internal war from 1955 to 2000, it has an accuracy of 74% in correctly 'predicting' which conflicts led to genocidal violence and which did not. (Totten, 2007, p71) Because of this relatively high number, applying this model to current events in the world, it can give a fairly accurate prediction of risk of genocidal violence. Harff denotes however, that the timeline towards genocide is not necessarily linear, that certain phases can overlap and more alarmingly, that so-called trigger events can instantly set off genocidal violence, rendering the early warning system less useful. She claims it is therefore necessary to have a system that receives and analyses data on a daily level. (Totten, 2007, p70). The nature of human rights monitoring is that it is delivering the latest information from the field as soon as possible after the violation has taken place. This speed is often required in cases of violations where urgent action is required in order to help victims, such as illegal detention or kidnappings. Conducting a fact finding mission and spreading the information on the violation as fast as possible is vital in cases where people's lives are at stake. This inherent speed of

reporting and bringing forward information from the field can attribute to the model of prediction of genocide since it adds the most up-to-date data and makes the model more dynamic.

Furthermore, Harff indicates that:

“More recent theoretical and empirical work suggests that one additional factor should be taken into account when assessing risks of future genocidal violence. If minorities are targeted for severe political or economic discrimination, the risks of future genocide or politicide against those groups increase.”(Marshall and Gurr, 2005, p58)

This void in Harff’s model can also be filled by the monitoring of human rights. Discrimination of minorities is a violation of collective human rights. As such, any form of political or economic discrimination of minority groups can be monitored and reported by human rights organizations. If these data would become available, especially for high risk-countries, they could form a valuable contribution to the existing model of genocide prediction. In this way, by combining both long term analysis of societal and political developments through historical analysis and the latest empirical information on violations of political and economic rights and discrimination of minority groups, an even more accurate system of predicting violent outbreaks can be created.

1.2 The Peoples Under Threat Ranking

The second genocide prediction list is the *peoples under threat* ranking of Minority Rights Group International (MRGI) which specifically focuses on the risk of violence against minority groups. Ranking countries on a scale from 0 to 26, based on their perceived risk of state organised violence against minority groups, it aims to foresee violent outbreaks against minorities.

The variables that MRGI uses are based on the research of Professor Barbara Harff and are therefore similar and partly overlapping with the variables in the HARFF-index, they are:

- Conflict indicators: this variable looks at conflict in society, ranging from no conflict to ongoing armed conflict

- Prior genocide or politicide: similar to Harff's index this variable looks at the history of genocide and politicide as an indicator for future violence.
- Indicators of Group Division: this variable is based on the Failed State Index that will be discussed later in this chapter as a separate model.
- Democracy/Governance Indicators: this variable looks into the level of democracy, following the assumption that higher levels of democracy will decrease the chance of genocide.
- OECD country risk classification: this variable is related to the country credit risk, which is the likelihood that a country will service its external debt. Minority Rights Group uses this variable as a proxy for measuring trade openness. (Lattimer, 2010, p6)

Minority Rights Group *Peoples Under Threat* Ranking

Rank	Country	Group	Total
1	Somalia	Darood, Hawiye, Issaq and other clans; Ogadenis; Bantu; Gabooye (Midgan) and other 'caste' groups	23.63
2	Sudan	Dinka, Nuer and others in the South; Fur, Zaghawa, Massalit and others in Darfur; Nuba, Beja	21.95
3	Iraq	Baha'is, Christians, Faili Kurds, Kurds, Mandaean, Palestinians, Shabak, Shia, Sunni, Turkmen, Yezidis	21.90
4	Afghanistan	Baluchis, Hazara, Pashtun, Tajiks, Turkmen, Uzbeks	20.89
5	Burma/Myanmar	Kachin, Karenni, Karen, Mons, Rakhine, Rohingya, Shan, Chin (Zomis), Wa	21.06
6	Pakistan	Ahmadiya, Baluchis, Hindus, Mohajirs, Pashtun, Sindhis, other religious minorities	20.55
7	Dem. Republic of Congo	Hema and Lendu, Hunde, Hutu, Luba, Lunda, Tutsi/Banyamulenge, Twa/Mbuti	19.91
8	Ethiopia	Anuak, Afars, Oromo, Somalis, smaller minorities	19.23
9	Nigeria	Ibo, Ijaw, Ogoni, Yoruba, Hausa (Muslims) and Christians in the North	17.77
10	Chad	'Black African' groups, Arabs, Southerners	18.15

Source: www.minorityrights.org For the full table see appendix

The most important additional variable that MRGI has chosen to use in compiling its ranking is the conflict indicator. Genocide will most often happen during time of armed conflict and consequently MRGI has added to its ranking the variable of conflict, granting countries points for the level of armed

conflict, resulting in higher rankings of countries with existing or smouldering armed conflict. Another distinctive focal point of MRGI is their focus on minority groups, assuming that practically always the victims of genocide are minority groups who have been repressed for an extensive period of time, only culminating in genocide when armed conflict hits a country and provides the ‘fog of war’ needed for large scale killings. (Lattimer, 2009, p6) This focus on minorities is shared by human rights organizations and provides the chance for contributing to a stronger risk assessment. Discrimination of minorities by the state is a violation of human rights that can be observed both directly in discriminatory legislation or policy-making, but also indirectly by other violations of human rights by the state or state-agents that are aimed at minority groups. By looking at the range, severity and frequency of violations against minority groups the danger these groups are in can be assessed. The first steps in the genocide ‘timeline’ – classification and symbolization- contain some elements that are present in many societies and in most will not lead to any violent outbreaks. The classification of groups of people into in-groups and outsiders is an inherent human trait and does not necessarily have to lead to any violence. But when the combined reports of human rights organizations indicate that a state is systematically excluding certain minority groups from a society or is violating their human rights, this can be the first warning signal that should raise the attention of the international community. Especially when taking into consideration the fact that ‘trigger events’ can start off violence suddenly and unexpectedly, these early warnings of state discrimination can be vital for preventing genocide.

1.3 The Genocide Intervention Network Ranking

The Genocide Intervention Network was established in 2005 and is a global network that aims to provide tools for genocide prevention. Its ranking method for determining whether a society is at risk of genocide are less sophisticated than the two models described above, distinguishing only between area’s of no risk, radar area’s (elevated risk) and area’s of concern (highest risk). In order to categorize countries the GI Network uses the following two criteria: ***“Type of Violence:*** *The type of violence we are most concerned with is genocidal violence; i.e. the large-scale intentional targeting of civilians as victims of murder, rape or torture. We also aim to determine whether violence is chronic and likely to continue without intervention.* ***Magnitude of Violence:*** *When examining the magnitude of violence, we assess the overall scale of the violence as well as the rate at which violence occurs.”* (Genocide Intervention Network, 2010) This definition leaves much room for interpretation and unfortunately GI-Network does not reveal exactly how they attain the information to determine the risk of genocide.

Nevertheless it is clear that they focus on violence and make the distinction between type of violence and magnitude of violence. Even though from the perspective of genocide prevention, signaling actual violence against minorities might seem to come too late, it is again an aspect where human rights monitoring can make an important contribution. Murder, rape and torture are amongst the most basic human rights violations and monitoring violations of this kind is part of daily practice of human rights groups. And even though generally these kinds of violations will occur in the latter stages of the path to genocide, monitoring incidents occurring before this final stage is reached can help to assess the risk of genocide before it is too late. Bearing in mind that the path to genocide can take years, a rise in violations such as murder and rape, even when relatively small, is something that can be registered and documented by human rights organizations and that can help to send of the early warning signal before these atrocities become widespread. If data on violent crimes by state actors are collected on a large scale, from various sources and analyzed according to their range frequency and severity, they can become another strong tool to foresee genocide.

1.4 The Failed State Index

The failed state index by itself is not an index that ranks countries according to the estimated risk of genocide. It ranks countries according to level of “failed state” meaning a state whose central government is so weak or ineffective that it has little practical control over much of its territory; is not able to provide public services and that often suffers from widespread corruption and criminality and strong economic decline. The fact that this index is being used to assess the risk of genocide is understandable since a territory where no central authority is able to protect the people will have a higher risk of mass atrocities. However, analyzing the index with the purpose of finding voids that can be filled by human rights monitoring is impractical since this index focuses on the absence of state authority whereas human rights monitoring will always be looking at the role of the state.

Chapter 2: Collecting and analysing human rights data

In order for monitoring of human rights to in fact contribute to an early warning system for genocide, the methodology for a system of collection of data needs to be established. This can be achieved by taking the human rights data collection system from Human Rights Information and Documentation Systems (Huridocs) as an example. Huridocs is a Geneva based network of human rights organization that has been active in developing classification systems for human rights and facilitating human rights documentation. In 2009 Huridocs organised an event called *Human Rights Council and International Criminal Court: The New Challenges for Human Rights Communications*. Specialists from the UN, International Criminal Court (ICC) and from the field of human rights gathered to discuss the proceedings and the possibilities of two of the main institutions for human rights, the ICC and the Universal Periodic Review (UPR) of the Human Rights Council. Main target of the conference was to determine how civil society organizations can contribute to the ICC and the UPR, specifically focusing on challenges for NGOs to put to use the human rights information that they possess in order to contribute to these two human rights bodies. At the conference the



The position of NGOs and other institutions in the human rights field (Huridocs)

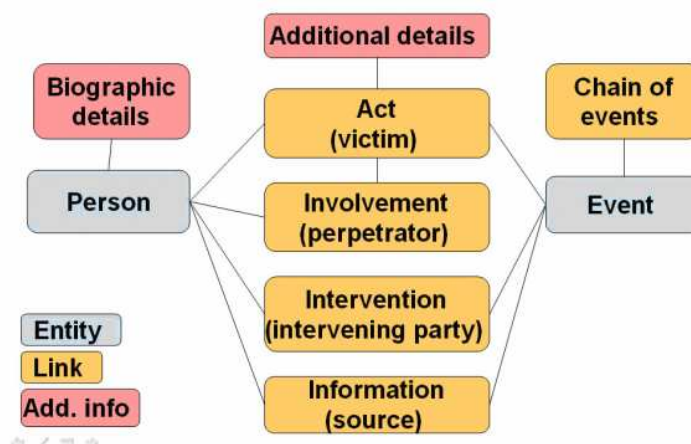
President of the Human Rights Council was quoted stating that: “information and communication technologies are not only means of exchanging and disseminating information, but crucial tools to improve the enjoyment of human rights” (Huridocs, 2009, p1) This vision is shared by Huridocs, whose major aim is to facilitate human rights documenting and encourages its members to help create the technical means for central human rights data collection. The technological progress of the last decades has made it easier than ever to quickly and easily obtain information from all over the world. With over a billion people connected to the Internet and countless human rights organizations active worldwide, there is an abundance of human rights information that could be centrally collected and documented. Civil society and especially human rights NGOs are often at the centre of societal developments and can be the first to give of a warning of discrimination of certain groups or

impending violence in a society. That is, if their reports and documentation are used and do not end up in drawers and archives.

2.1 Collection and documentation of data

One of the tools that Huridocs has created is the *Open Events System* or *OpenEvsys*, a software tool for central data collection of human rights violations. Even though this software was only recently launched, its potential seems great. It enables human rights organizations and other civil society organizations to publish the data they have collected at the grassroots level and share it with others. The software is downloadable for free and free to use for anyone. The system works uses Huridocs' "who did what to whom"-approach: a basic approach to document human rights violations containing information on type of violation, victims, perpetrators, sources and interventions. The OpenEvsys system could not only make human rights data be less fragmented; but by documenting the data in a logical and systematic way, more thorough and stronger documentation of human rights violations can be achieved than ever before. For the aim of genocide prevention a system such as OpenEvsys also shows a great potential since it offers the possibility to analyze large quantities of data on human rights violations. To determine how data on human rights violations can be best documented for the purpose of assessing risk of genocide it is important to look at the standard procedures that are currently used to document human rights. The basic question in human rights fact finding as defined by Huridocs is 'who did what to whom?'. This question focuses on documenting who is the perpetrator, what is the violation and who is the victim, the basic concepts of human rights documentation. Besides this general information, for a global network of documentation more factors will have to be taken into account, especially when indicators for genocide are to be recognized. An important factor to document is to document the background of the victim. As mentioned in the introduction, victims of genocide are almost always members of minority groups, but not necessarily clearly recognizable groups. Therefore, it is important to document not only the ethnicity and religion of the victim but also any other characteristic that in each particular case could make the victim part of a potential target group for mass killing. Huridocs offers this possibility in OpenEvsys and allows human rights observers to add country specific characteristics that might be important in recognizing certain (perceived) groups of victims. The following model shows the basic data involved in the OpenEvsys system.

The data model



The data model of Huridocs' OpenEvsys system

2.2 Analysis of data

Once a collection of data on human rights violations on a certain country has been compiled, it needs to be analyzed in order to draw conclusions. In this case it is of the utmost importance that the conclusions drawn from the data are correct since an early warning system that gives of false alarms will soon lose its credibility. Therefore it is important to analyze the data using a model that can distinguish which variables are relevant for the prediction of genocide. The creation of such a model for analysis requires resources and time that are beyond this dissertation, but certain basic aspects can be recognized. During all of the stages that lead up to genocide certain human rights violations will take place that can be monitored by NGOs in the field. In order to determine whether violations are signals of oncoming genocide, not only the type of violations, but also the severity, range and frequency of these violations need to be documented. By using these three aspects a broader and more diverse representation appears of the human rights situation in a country.

2.3 Severity, range and frequency

Grading human rights violations according to severity might be somewhat arbitrary, but still a distinction can be made between less severe violations such as discrimination of certain groups by a state and more severe violations such as disappearings or extrajudicial killings (See appendix 4 for a

full list of human rights violations and their level of severity) Most of the less severe violations will be encountered in the beginning stages of Stanton's eight steps and can therefore be an important early indicator. For instance violations of the right to culture; banning the use of a language or restricting certain cultural practices are a clear sign that a state is trying to classify its citizens according to cultural standards and by forbidding them to express this culture is giving off signs that this particular group might be at risk of more severe violations of their human rights. The violations of human rights that attribute to genocide as described in the 1948 Convention on the Prevention of Genocide are:

“(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.” (Rummel, 2009, p33)

These violations can all be categorized as the most severe within the framework of human rights since they are all directly or indirectly concerned with the right to life and physical integrity. Normally these violations will be witnessed during the ultimate stages of the genocide, the actual extermination. However, history has proven that even these most severe of violations are not sufficient to convince the international community that genocide is occurring. When one only looks at the occurrence of (extrajudicial) killings there are many other ways of interpretation that by no means will indicate that genocide is taking place. It is only when these killings are placed at the end of a timeline of earlier violations that do point toward mass atrocities that the case for genocide might be strong enough to encourage states or the international community to intervene. It is of course preferable to not reach this stage. For an early warning system for genocide the crucial point in time is that before the actual killings as described in the 1948 Convention take place. This is where the next aspect of violations comes into play: range. The types of violations taking place in the early stages of the path to genocide are less severe, but by looking at the range of the violations they might still be clear enough to recognize states singling out certain groups for possible genocide.

The range of violations is a very important aspect since it helps to understand whether the rights of a certain group are being violated or whether the rights of the entire population of a state are indiscriminately being violated. This distinction is vital for foreseeing genocide, since in case of genocide it is always one group that is singled out by the state. An important condition for monitoring the range however is to look beyond traditional groups characteristics such as ethnicity, language or

religion. It has been proven that states can be very arbitrary in selecting their opponents, often a range of people with no direct distinct similarity are labeled as enemies of the state and targeted during genocide. (Jonassohn, 1998, p10) Therefore just taking range into account is not enough; a more thorough study of characteristics of the targeted groups needs to be conducted to determine whether the state is specifically aiming at one group. This process can be made more insightful by for instance also looking at official statements from the state or propaganda that can demonstrate who it is the state is targeting. Also, if it comes to a new system of centrally collected data on human rights violations, the category for victims should not be just limited to the 'regular' minority groups such as ethnic or religious minorities. Any type of distinction into groups that is perceptible in a society should also be registered in this model, so as to make sure that indicators of classification, symbolization and possibly dehumanization of a particular group are not overlooked.

Frequency is the most straightforward indicator, but only when used in combination with the other two indicators: range and severity. An increase in the number of human rights violations can have many different causes and by itself does not have any merit for predicting genocide. However, an increase of violations against a certain group of the population in combination with an increase in the severity can be very alarming. For example, the increase in numbers of people being arbitrarily arrested and detained can merely be indicative of a state reacting to an increase in crime. The increase of people from a certain minority group (range) being imprisoned with no fair trial (severity) can indicate that a state is persecuting certain groups (possibly with the aim of concentrating them as part of the preparation for extermination) and could be a warning for more severe violations in the future.

The factors described above; range frequency and severity can be made quantifiable by a system such as OpenEvsys. Additionally, a methodology such as created by Harff can be applied to the model for analyzing human rights data, in the sense that past genocides can be analyzed in relation to human rights violations that were registered in the period before the killing started. In this way a correlation between certain types of violations (in a certain range, frequency and with a certain severity) and genocide can be recognized that will help to predict future outbreaks of violence. By establishing a model based on historical genocides and human rights violations preceding it, this model could predict whether a society is likely to be witness to genocidal violence in the near future. Of course a system like this can be complementary to the existing models of prediction or even integrated into the existing models. When this is done successfully, this combination of existing models of prediction with the

new system based on analysis of human rights can help raise the correct predictions to a higher level, once again improving the reliability and authority of the early warning system.

Since a global system of human rights documentation does not exist yet, this human rights based model would have to be based on reports, archives and other publications of human rights groups and other monitoring agencies. Human Rights Internet Canada is currently one of the largest databases of human rights documentation in the world. This initiative that is supported by the Canadian government has been hosting an online catalogue featuring publications from 483 different human rights NGOs from almost every country in the world. Their database does not follow the systematic approach of Huridocs though and is not only a database of human rights monitoring but a broader database of all publications of human rights organizations. However a database like this can be a valuable tool to draft a model for genocide prediction based on documentation of human rights. Of course, establishing a system and model with this purpose will possibly take years, but over time as more information is being received, the analysis of the data will become more reliable. As the system and model are being used, the analyses of societal changes and the early warnings given of for genocide can be tested, fine-tuned and become more reliable and will give the system the authority required to influence global leaders to take action.

The greatest benefit of a system like this is that it would create a dynamic system that is updated with new information on a daily basis. Whereas many of the variables in the current genocide predicting models are fairly static, this system could deliver reports on violations as they are taking place giving it a far greater sense of urgency.

Chapter 3: Incorporating human rights into the existing genocide prevention system

As has been demonstrated in the two previous chapters, it is possible and useful to establish a system of central collection of human rights violations with the purpose of preventing genocide. Both in the theoretical and practical sense it is possible to create an international organ that collects and analyses the data and can send out an early warning when needed. The question however remains in what form this information can be used. The model for genocide prevention based on human rights data can be incorporated into the existing system or a new institution of genocide prediction based on human rights violations can be established. There are several options possible for the establishment of such an organ under currently existing IGOs or as a newly to be established institution. This chapter will examine the possibilities for setting up a new institution specifically aimed at genocide prevention through an early warning system and the possibility of incorporating this institution into the existing international framework.

The idea of a non governmental organization contributing or influencing the decisions of governments or governmental agencies is not new. For a long time NGOs have been lobbying at governmental institutions to promote their issues. Also, through official channels NGOs have been given the chance to directly contribute to governmental decisions. In many countries the distinction between civil society and politics has become less strict, especially in countries of the world where democracy is well developed. Interest groups and NGOs can influence policy makers and often have become an invaluable part of the democratic system. In the field of human rights this development is also visible, human rights organizations are specifically asked to contribute to the groundbreaking new human rights review system of the Human Rights Council. Since 2008 the HRC has started making assessments of the human rights situation in every country in the world called the Universal Periodic Review (UPR). The HRC aims to do so every four years, enabling them to monitor progress or demise. Part of this UPR is the so-called stakeholders' review that invites civil society groups to give their view on the human rights situation in a certain country. A similar system can be used for a centre for genocide prevention, where of course the contributing parties would have to meet certain requirements as they do in the UPR system. By incorporating civil society organizations into the reviewing process states are faced with issues that they themselves would rather not address or consider internal affairs. This also applies to the situation when states are faced with an institute monitoring their human rights compliance.

The latest developments in the field of genocide prevention look promising: the republic of Hungary has decided -in celebration of the 60th anniversary of the Universal Declaration of Human Rights- to create the Budapest Centre for the International Prevention of Genocide and Mass Atrocities. This year, this completely independent body is scheduled to open its doors. It is announced that the centre will be using the expertise of scientist and human rights NGOs to establish an early warning system for genocide (Ministry of Foreign Affairs of the Republic of Hungary, 2010). At this point it is too early to evaluate the contribution of this specific centre, but it does fit into a general tendency that has been increasing since the 1990's of non governmental organizations taking the lead in genocide prevention and contributing to a real culture of prevention of genocide.

But creating a new, separate human rights-based institution for genocide prevention might not be necessary. Since there are already established organizations that can predict genocide with a reasonable accuracy, the most logical step forward would be to integrate the models of genocide prevention into the existing system. Because the UN and other international players have proven not to be able to prevent genocide, it seems it is up to civil society to take the initiative in preventing the *crime of all crimes*. A network of NGOs with the shared purpose of preventing genocide is a realistic possibility and does not have to take a long time to become relevant and respected. A good example of how NGOs can come together and establish an influential network is provided by the International Crisis Group (ICG) that was founded by Australian former foreign minister Gareth Evans. Within the ten years since its inception it has become a very influential organization in the field of conflict prevention. The ICG functions through a system of local observers and scientists who monitor 'hot spots' in terms of potential conflict and report their findings to international policymakers (Hamburg, 2009, p99) Initiatives like this can be very successful because they rely on a scientific approach and are not directly linked to any intergovernmental organization and can therefore claim to be impartial.

Gregory Stanton, one of the most prominent genocide-scholars of this time also does not want to leave the task only to the UN and emphasizes on the impartiality of independent bodies that can influence policymakers: *"Even before a Genocide Prevention Center is established, coalitions of NGOs and genocide studies programs should establish independent early warning networks that can provide daily reports and regular policy options papers to the U.N.'s Special Adviser on the Prevention of Genocide, to the Security Council and to individual governments. A few networks currently exist (..) but they do not yet produce coordinated analyses. Even after a Genocide Prevention Center is established, NGOs should continue to provide reports independently to the Special Adviser, UN*

agencies, and member governments. The Center is not intended to be a unique source.” (Totten, 2007, p281)

His statement summarizes the importance of cooperation between the IGOs and NGOs. The UN, despite its shortcomings at preventing genocide is at this moment the most powerful intergovernmental organization. Even when NGOs manage to establish a reliable system of genocide prediction, one that includes data on human rights violations, they still do not have the power to prevent genocide themselves. Cooperation between NGOs and IGOs such as the UN will always be needed in order to truly prevent genocide.

Conclusion

Since the turn of the millennium a new culture of genocide prevention has been on the rise: the fact that the dramatic events in Rwanda and more recently in Darfur were not stopped by the international community outraged many and has led to an increased interest in genocide prevention. Organisations and scientist all over the world have been making efforts to prevent the *crime of crimes*.

One of the ways scientist can contribute to prevention of genocide is by predicting it and in this area scholars have made important steps forward in recent years. By analysing cases of genocide in the past scholars have come up with models that can predict genocide. Current prediction models for genocide can reach a 75% accuracy on predicting genocide. These existing models however, do not include any data on human rights violations. The accuracy of the current models can be increased by a strong statistical analysis of collected data on human rights monitoring. By looking at different types of violations that are being committed in a society and looking at the combination of the factors severity, frequency and range human rights violations can be strong indicators of certain groups being at risk of becoming the victims of genocide. In addition, the data documented by human rights groups has certain characteristics that make it supportive to the existing models and fill a void in these current models of prediction. Firstly, because it is information that is coming directly from the grassroots level and is up to date, These two factors are often lacking in the current models that are theoretical rather than empirical and are based on historical instances of genocide rather than on the latest information from the field. Also, human rights monitoring by nature focuses on minority groups and can consequently recognize forms of discrimination of certain groups at an early stage. Furthermore, the information will be relevant to a genocide early warning system, because of the fact that genocide and human rights monitoring are connected by the role of the state. Human rights violations will always be connected to the state, whether it is by active violations of human rights by state-actors or by acts of omission: the failure of the state to protect human rights of the population. The same principle applies to genocide, that is either perpetrated by the state or state-actors or is a consequence of the state not protecting its population.

Current technology enables data on human rights violations to be collected. The OpenEvsys system that is discussed in this dissertation meets all the requirements for a simple system that can

be used by human rights observers worldwide and offers the possibility of large scale data-analysis.

To predict genocide based on human rights violations a model would need to be constructed that can analyse the acquired data. This model can be based on data collected preceding previous outbreaks of genocidal violence to establish the connection between certain types of violations and genocide. However, in order to be able to collect and analyse these large quantities of data many resources are required. From a technical point of view there is no obstruction to starting a global process of data collection on human rights violations. Specialist software exists and enables users to both document and analyse violations of human rights.

Different initiatives that are visible in terms of new institutions aimed at genocide prevention are appearing in the international community. This movement towards a culture of genocide prevention gives hope for the future and should be encouraged by the international community.

Essential in this process is cooperation between NGOs and IGOs. IGOs can use their diplomatic and ultimately their military powers to prevent genocide. NGOs are at the heart of civil society and as such can give of the early warning signals of genocide. Human rights monitoring NGOs especially can play a vital role in this process.

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