

**SPECIAL COURT FOR SIERRA LEONE  
OUTREACH AND PUBLIC AFFAIRS OFFICE**



**PRESS CLIPPINGS**

**Enclosed are clippings of local and international press on the Special Court and related issues obtained by the Outreach and Public Affairs Office**

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Press clips are produced Monday through Friday.  
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## The Post-Journal

Saturday, 2 February 2013

### Jackson Center To Host Birthday Event In Warren County

The Robert H. Jackson Center of Jamestown will honor Justice Robert H. Jackson's enduring legacy at an annual event honoring his birthday to be held on Wednesday, Feb. 13, at 7 p.m. at the Warren County Courthouse.

The event is free and open to the general public. Refreshments will be served at a meet and greet immediately following the presentation.

Born in Spring Creek, Pa., Robert H. Jackson will be commemorated in the county of his birth, Warren County, Pa. Jackson was a country lawyer from Chautauqua County who went on to be U.S. Solicitor General, Attorney General, Supreme Court Justice and U.S. chief prosecutor at the Nuremberg war trials. The continued relevance of Jackson's mark on history is very apparent in the impact Nuremberg had on the development of a modern international criminal court system and is the focus of the keynote lecture, "The Jackson Legacy: Prosecuting a Head of State," delivered by C. James Johnson.



*James Johnson*

Johnson, who was appointed to the position of president and chief executive officer of the Robert H. Jackson Center in 2012, formerly served as chief of prosecutions of the Special Court for Sierra Leone for more than 10 years. In that role, Johnson supervised trial and investigative teams which brought to justice persons who bore the greatest responsibility for war crimes, crimes against humanity and other serious violations of international law.

The program will discuss the legacy of prosecuting heads of state from Nuremberg to today, as Johnson gives his first-hand account of the trial of Charles Taylor, former Liberian president, focusing on both the legal and practical issues of the trial and conviction. Taylor was convicted on 11 counts of war crimes, crimes against humanity and other serious violations of international law and was sentenced to a 50-year prison term. Prior to the evening lecture, Johnson will address Warren area students during a special assembly at Warren High School.

During his military career, Johnson served for 20 years as a judge advocate in the United States Army. His tours of duty include serving as the legal adviser for the George C. Marshall European Center for Security Studies and as an assistant professor of International and Operational Law at the U.S. Army Judge Advocate General's School. He also served as a prosecutor and international/operational law advisor to both conventional and special operations units.

Sponsors include Allegheny College, Blair Corporation, Interelectric Corporation, Russell Veterinary Hospital P.C., Whirley DrinkWorks, H. Robert Hampson, Attorney at Law, Dr. Peter and Charlene Hoffmann, and the Winans Agency Insurance.

The Robert H. Jackson Center's mission is to advance the legacy of U.S. Supreme Court Justice Robert H. Jackson through education and exhibits, and by pursuing the relevance of his ideas now and for future generations.

The center is located at 305 E. Fourth St., Jamestown. Tours are available from 10 a.m. to 4 p.m. Monday through Friday and from 10 a.m. to 2 p.m. Saturdays. For more information, call the Robert H. Jackson Center at 483-6646.

# The Telegraph

Monday, 4 February 2013

## **Gaddafi's fall may have caused chaos in the Sahara, but Africa is still better off without him**

By Colin Freeman

In his lifetime, the peculiar blend of despotism and eccentricity that was Colonel Muammar Gaddafi earned him many different titles, not all as respectful as "Dear Brother Leader". In the US, he was dubbed the Mad Dog of the Middle East by President Ronald Reagan. In Britain, thanks to his generosity with Semtex, he was seen as IRA quartermaster in chief. In Libya's neighbouring state of Chad, where Gaddafi meddled endlessly, he was referred to unaffectionately as "that disease". And among his long-suffering fellow Libyans, he was known – when his secret service wasn't listening – as "Abu Shufshufa", which, colloquially translated, means "That idiot with the Frizzy Hair".

Now, though, more than a year after his death, the old tyrant seems to be on the verge of acquiring a new moniker, one that I suspect he would rather have liked. Posthumously, he is being hailed as some sort of Tito of North Africa, holding his fiefdom together with an iron fist just like the former leader of Communist-era Yugoslavia did.

The argument is that ever since Gaddafi's Western-backed overthrow, chaos has begun to unfold in the region, most worryingly in the Tuareg-Islamist takeover of northern Mali and the retaliatory al-Qaeda massacre at the BP refinery in Algeria. This narrative points out how post-war Libya became a massive weapons bazaar, enabling the Tuaregs – freshly demobbed from their well-paid jobs as Gaddafi mercenaries – to steam south and seize their dream of an independent homeland in northern Mali. On their coat tails were AQIM, who likewise helped themselves at the arms bazaar first, and then sidelined the Tuaregs to turn the likes of Timbuktu into a Taliban-style ministate. Cue the usual mutterings about Western naiveties over the Arab Spring and so on.

It's certainly likely that had the Dear Leader had still been in power, none of this would have happened. Gaddafi hated Islamists of all kinds, harbouring a natural disdain for anyone who chose to worship God rather than him. Likewise, while tough Tuareg fighters had served as a kind of Libyan Foreign Legion ever since the 1970s, carrying out all kinds of meddling in Gaddafi's backyard, he latterly reined them in to please new pals like Tony Blair.

But none of this should detract from the fact that Gaddafi was generally an utter disaster for Africa, stirring far more conflicts than he ever resolved. In Britain, we tend to think of him mainly in terms of episodes such as the WPC Yvonne Fletcher murder, the Lockerbie bombing, and the arming of the IRA. But dreadful though those were, we should remember that his fondness for backing thugs and terrorists elsewhere in the world caused far more carnage – especially among his fellow Africans.

Take, for example, the various graduates of his so-called "World Revolutionary Centre", which offered military training to all comers during the peak of Gaddafi's 1980s radical period. Prominent among its alumni were two of the bloodthirstiest men in modern African history, Charles Taylor of Liberia and his partner-in-war crimes Foday Sankoh. Their combined efforts in Sierra Leone's civil war killed an estimated 200,000 people and left countless more bereft of arms and legs – amputation being the signature calling card of Sankoh's drug-crazed Revolutionary United Front militia.

The former chief prosecutor at the Special Court of Sierra Leone, Professor David Crane, actually named Gaddafi in the original war crimes indictment against Taylor, saying that he was instrumental in planning the conflict. This, however, was back around 2003, when the West was busy wooing Gaddafi once again.

And so it was, amid pressure from Britain and other nations, that Gaddafi's name was dropped again from the indictment – much to the fury of Crane, who took the view that "Gaddafi was ultimately responsible for the mutilation, maiming and/or murder of 1.2 million people."

Sierra Leone was just one of Gaddafi's African military adventures, which were informed by an imperial vision as racist as anything that the former colonial powers ever imposed. As the self-described Saviour of Africa, Gaddafi believed it was Libya's destiny to create an empire over the black nations's to the south, whose peoples he describes in his Green Book as being too lazy and backward to help themselves.

But while he did pump money into the region – Mali, for example, is replete with garish, Gaddafi-built mosques and hotels – he also bankrolled violent insurgencies everywhere, from Eritrea to Mozambique, and Guinea Bissau to Angola, not to mention many further afield in Europe and Central America. And everywhere he went, he willingly backed the most violent, lunatic fringes like the RUF, to the point where even Fidel Castro, that well-known voice of restraint and conciliation, branded him a "reckless adventurer".

Make no mistake about it – the last thing that the poverty-stricken nations of sub-Saharan Africa ever needed was a violent, oil-rich, deluded nutjob like Gaddafi interfering in their affairs. For anyone who purports to give a damn about that part of the world – for example Tony Blair, with his Africa Progress Panel – the lament should be not that Gaddafi didn't survive longer, but that he was ever in power at all.

Reuters

Monday, 4 February 2013

## Salaries as Elusive as Justice at Cambodia's Khmer Rouge Trial

Cambodian staff at a Khmer Rouge war crimes tribunal have gone two months without pay and are threatening a walkout amid a deepening funding crisis at a court already bogged down by resignations and the ill health of its elderly defendants.



*Journalists take photographs of a television screen showing the trial of Kaing Guek Eav alias Duch, former chief of the S-21 prison, at the Extraordinary Chambers in the Courts of Cambodia on the outskirts of Phnom Penh on Feb. 3, 2012.*

Some 270 Cambodians have not been paid since November and are working at the UN-backed court without contracts, caught up in a standoff between donors and a government criticized for its lack of support for hearings into one of the darkest chapters of the 20th century.

Between 1.7 and 2.2 million people, almost a quarter of Cambodia's population, died between 1975 and 1979 under the ultra-Maoist Khmer Rouge regime.

Pol Pot, the architect of the "Year Zero" revolution, died in 1998, but his sidekicks are now on trial for murder and crimes against humanity, among a litany of charges.

"They gave us some information about our salaries but it didn't really explain anything," said one staff member, declining to be identified as he is not authorized to speak to the media, referring to the court.

"We are angry and discouraged," he told Reuters, adding that he and many of his colleagues planned to walk out if they were not paid within the next two weeks.

The funding dispute puts the spotlight on the commitment of the government, which has been accused of interfering behind the scenes to put the brakes on the court and limit the scope of investigations that could implicate powerful political figures.

Prime Minister Hun Sen, himself a former Khmer Rouge guerrilla who defected to the regime's eventual conquerors, Vietnam, has said he would "not allow" any new indictments and would be happy if the United Nations packed up and left.

Following months of appeals, the international side of the court has managed to secure enough funding to keep its side going, but the problems do not stop at finances.

Two international investigating judges quit in the space of six months in 2011 and 2012 over what they said was political interference, and many Cambodians fear the three remaining defendants in the court's second case—"Brother Number Two" Nuon Chea, former Foreign Minister Ieng Sary and ex-president Khieu Samphan—may not live to hear a verdict.

The three former Khmer Rouge leaders have all denied responsibility for the mass deaths during their rule.

All three are in their 80s and have been in hospital suffering from fatigue and dizziness in the past month. Nuon Chea was discharged on Thursday, even though his family was convinced he was “approaching death,” according to his co-counsel, Victor Koppe.

Court spokesman Lars Olsen dismissed fears of Nuon Chea’s imminent death: “He’s not dying soon.”

A fourth defendant, Ieng Thirith, Pol Pot’s sister-in-law, was declared unfit for trial last year because she was suffering from Alzheimer’s disease.

Since the court was set up in 2005 with the aim of trying “those most responsible” for the bloodshed, it has delivered only one verdict, life imprisonment for Kaing Guek Eav, better known as Duch, the chief of the notorious Tuol Sleng prison, a converted Phnom Penh school where as many as 14,000 people may have been executed.

Under an agreement with the United Nations establishing the Extraordinary Chambers in the Court of Cambodia, as the hybrid UN-Cambodian tribunal is known, the government has an obligation to fund the Cambodian side.

It has paid US \$1.8 million a year in general costs for utilities, security, healthcare and transport, as well as the courthouse, which it owns.

The government has used outside contributions to pay the estimated \$9.3 million a year wage bill and sources close to the issue say big foreign donors like Japan are overstretched and want Cambodia to come up with more cash.

Staff, however, do not see that happening.

“The government won’t pay these salaries. They just want this court to shut down,” a staff member said. “By creating this situation, they just want to embarrass the UN.”

Government spokesman Ek Tha said Cambodia was appealing to outside donors for help.

“Its all about interpretation,” Ek Tha said. “The UN receives money from donors to pay their staff, Cambodia is the same.”

Critics have questioned Cambodia’s commitment to attracting those funds and insiders with knowledge of the issue say some donors are steering clear because they fear they would anger the government if their money was used in cases beyond the one being heard.

Heather Ryan, a court monitor for advocacy group Open Society Justice Initiative, said the salary wrangle could be very damaging if it went on any longer.

“The government of Cambodia and the donors should somehow agree on how to get Cambodian staff paid because they are critical to the everyday working of the court,” Ryan said.

## The New Times (Rwanda)

Sunday, 3 February 2013

By Gashegu Muramira

### Rwanda: ICTR Appeals Court to Decide Fate of Two Ex-Ministers Today

The Appeals Chamber of the International Criminal Tribunal for Rwanda (ICTR) will today deliver its judgement in the trial of two former ministers.

Prosper Mugiraneza was the public service minister, while Justin Mugenzi was Minister of Trade during the 1994 Genocide against the Tutsi.



*Rwandan children, refugees of the 1994 genocide (file photo).*

In September 2011, the tribunal sentenced the duo to 30 years in prison, in the case commonly known as Government II - after finding them guilty of conspiracy to commit genocide, and direct and public incitement to commit genocide.

They were convicted of participating in the removal of Butare's Tutsi Prefect, Jean-Baptiste Habyalimana, and based on their participation in a joint criminal enterprise at the installation ceremony where Interim President Theodore Sindikubwabo gave a speech inciting the killing of the Tutsi.

Last year, Mugenzi and Mugiraneza pleaded innocent and asked the judges to set them free.

#### Prosecution nails

After he was removed from office, Prefect Habyarimana was killed and massacres, which had so far been limited, became widespread and systematic in Butare prefecture.

The prosecution has maintained that through their presence at the meeting, both former ministers participated in a conspiracy to commit genocide and were guilty of incitement to genocide through approving, even tacitly, the incendiary speech delivered in Butare on April 19, 1994 by Sindikubwabo.

With the court having until the end of next year to finish all its work, this judgement will be its first hearing in 2013.

During the same judgement in 2011, colleagues of the former ministers in the Government II trial, Casimir Bizimungu, ex-Minister of Health, and Jérôme Bicomumpaka, ex-Minister of Foreign Affairs, were acquitted.

The acquittal was met with dismay, with officials saying it was a contradiction to the tribunal's stand.



Aljazeera

Monday, 4 February 2013

### **Wading uncharted waters: The trial of Rios Montt**

The events in Guatemala are exceptional because they are happening at home, in the nation where the crimes occurred.



*Guatemala's former dictator Jose Efraim Rios Montt is the latest of several ex-officers in Guatemala to face the law concerning crimes committed during the country's 36-year civil war, which ended in 1996 [AP]*

When a judge ruled last week that former general and Guatemalan head of state Jose Efraim Rios Montt will, finally, stand trial for the crime of genocide, the news resounded profoundly at home and abroad. These events in Guatemala mark the first time a national court, anywhere, prosecutes its own former head of state for the crime of genocide.

Several international courts established in the last 20 years have prosecuted people involved in genocide. The events in Guatemala are exceptional because they are happening at home, in the nation where the crimes occurred.

Rios Montt, 86, is the latest of several ex-officers in Guatemala to face the law concerning crimes committed during the country's 36-year civil war, which ended in 1996. His arrest in January 2012 - the judge ordered the former army general confined to his home - represented an extraordinary break with impunity in the Central American country; the decision this to proceed with the trial, despite attempts to have the charges dropped, is of even greater significance. No ranking officer has been held responsible for the violence in which some 200,000 people, almost all civilians, lost their lives.

The Rios Montt trial is also an important development in an evolving arena of international human rights.

Aside from a few problematic cases, genocide has been prosecuted in international jurisdictions. In Ethiopia, for example, a former dictator was tried for genocide in absentia. In Iraq, a purportedly "national court", heavily influenced by the United States, then occupying the country, convicted and executed "Chemical Ali". The

Nuremberg trials of Nazis in the aftermath of the Holocaust were conducted by a multinational body composed of the allied powers and formally prosecuted crimes against humanity. Rwanda has had genocide trials for its nationals, but none of such high stature.

Holding trials "away" has been deemed appropriate when conducting a trial at home carries considerable risks. The rationale behind establishing international tribunals for the former Yugoslavia in The Hague, The Netherlands, and for Rwanda in Arusha, Tanzania, was that holding trials in the country where the violence occurred would put participants at risk and potentially disrupt other fragile socio-political conditions.

Even the Special Court for Sierra Leone, a so-called "hybrid" tribunal (the Court sits in Freetown but is made up of foreign judges), was compelled to move its highest profile defendant, former Liberian President Charles Taylor, to trial in The Hague for fear of sparking new violence in Sierra Leone. (Taylor was not charged with genocide.)

More than a decade has passed since a truth commission in Guatemala determined that the elements of the violence constituted genocide, particularly the brutal counter-insurgency campaign in the highlands in the early 1980s, including under Rios Montt's rule. For years, efforts to bring charges in Guatemalan courts have been stonewalled or met with threats and outright violence. As a result, Guatemalan survivors have sought justice, reparations and recognition in courts abroad.

An evolving international network with increasingly sophisticated advocates found sympathetic jurisdictions outside of Guatemala, including the Inter-American Court of Human Rights (IACHR) in San Jose, Costa Rica. Guatemalan Nobel Laureate Rigoberta Menchu Tum and other activists have brought cases before the Spanish National Court under the principle of universal jurisdiction, which considers some crimes so heinous as to be of universal concern and therefore appropriate for many jurisdictions, even outside the nation where the crimes occurred.

With cases before international and now, its own national judiciary, Guatemala presents an important opportunity to explore the efficacy of each of these mechanisms in a world increasingly aware of and concerned with war crimes. Legal experts, perpetrators and those affected by state violence are watching to see how these geographically diverse jurisdictions function. The stakes are significant not only for Guatemala, but for all of humanity. What are the advantages of prosecuting genocide cases in the nation where the crimes occurred? What are the dangers?

Guatemala's security situation remains precarious. Attorney General Claudia Paz y Paz issued indictments and arrest warrants in 2011 against other senior members of the armed forces. Soon a group of retired military officers published an announcement in Guatemala's largest newspaper warning: "We are ready to fight again if the circumstances require it."

Guatemala's President Otto Perez Molina must ensure safety for the process and its protagonists. A former general, Perez Molina served in a conflict zone where some of the most egregious massacres of the period took place.

We should pay close attention to these legal proceedings in Guatemala. In the US, evidence of torture, disappearances and other crimes against humanity committed by US service members is denied, ignored or disposed of with minimal punishment. We might well need lessons from the brave lawyers in Guatemala.

Amy Ross is associate professor of geography at the University of Georgia, specialising in human rights.

The views expressed in this article are the author's own and do not necessarily reflect Al Jazeera's editorial policy.

## Radio Netherlands Worldwide

Monday, 4 February 2013

### ICC detention centre: a Guantanamo to 3 DRC witnesses?

By Lauren Comiteau



Last month the International Criminal Court (ICC) handed down the second verdict in its 10-year history: Congolese militia leader Mathieu Ngudjolo Chui was found not guilty of crimes against humanity and war crimes relating to a deadly 2003 attack in the Ituri region of DR Congo. Ngudjolo was released pending the prosecutors' appeal, but the three Congolese witnesses who testified against him remain in custody.

The witnesses have spent almost two years in a prison cell in the ICC's detention unit in a legal limbo one of their lawyers has compared to Guantanamo Bay. Last month they lost their first legal round in an attempt to get asylum from the Dutch state.

RNW spoke with one of their lawyers, Flip Schüller, about the two-pronged appeal to a higher court, the verdict of which is expected in April.

#### **What is the basis of your appeal?**

The first part has to do with article 1F, the exclusion clause [under the Refugee Convention, which says war criminals are exempt from protection]. We are saying that the onus is on the state...because if they allege [my client is] a war criminal and not a refugee, then they have to prove he's a war criminal.

We argued quite convincingly that there are no indications that our three clients are personally responsible or can be held accountable for war crimes. We recognize the situation in Congo is a mess – it is very complex and grave war crimes were committed.

But that's not the issue. The issue is: can our clients be held accountable? They were politicians. The crimes were committed by militias and self-defence groups. It hasn't been demonstrated that our clients had control. They were in custody for the alleged murder of nine UN troops, but there was never an indictment. They were held in Congo for the last seven years without one.

The second ground for appeal is that our clients run the real risk of torture if they are returned to Congo because they implicated [DRC President] Joseph Kabila during their testimony. They told the ICC to look at the bigger picture. The role of Kabila has been downplayed. The whole mess in Ituri is because of the state vacuum held together by Kabila with Rwanda and Uganda.

Our other main concern is that the Dutch government isn't willing to look at the risks our clients face. They just don't want to know.

**But aren't there clear rules in the ICC agreement signed with the Netherlands as the host state of the court?**

The problem is the system never thought of witnesses being extradited to the ICC when they made the agreement with the host state. This will set a precedent. It's something for the Dutch courts to determine. At the moment they're stuck. We've been challenging their detention in local courts and now it's up to the Supreme Court.

**What do you think the outcome will be?**

My personal view is I can't see the ICC maintaining the status quo endlessly. In the meantime, they can't expel our clients to Congo. Maybe for another year our clients will be in custody, but they can't keep them forever.

You have compared the situation of your clients to that of detainees in Guantanamo Bay, Cuba. Why? The Dutch state tries to keep people away from court and out of range of Dutch law... So yes, the analogy is an accurate one.

**What do you want to happen now?**

The Dutch should take responsibility as the host state and not be so afraid of the Dutch judiciary. We're not saying release our clients (although we'd like that), but we want Dutch judges to look at the situation. The Dutch judge refuses to cooperate with the ICC, and the ICC has said several times that the Dutch need to take control of this situation.

**What does your client think?**

He's anxious about the situation. It's been a long time now.

## Global Research

Saturday, 2 February 2013

### **R2P and “Genocide Prevention”: The Good Intentions That Pave the Road to War**

By Diana Johnstone



Opposing genocide has become a sort of cottage industry in the United States.

Everywhere, “genocide studies” are cropping up in universities. Five years ago, an unlikely “Genocide Prevention Task Force” was set up headed by former secretary of state Madeleine Albright and former defense secretary William Cohen, both veterans of the Clinton administration.

The Bible of the campaign is Samantha Power’s book, “A Problem from Hell”. Ms. Power’s thesis is that the U.S. Government, while well-intentioned, like all of us, is too slow to intervene to “stop genocide”. It is a suggestion that the U.S. government embraces, even to taking on Ms. Power as White House advisor.

Why has the U.S. Government so eagerly endorsed the crusade against “genocide”?

The reason is clear. Since the Holocaust has become the most omnipresent historical reference in Western societies, the concept of “genocide” is widely and easily accepted as the greatest evil to afflict the planet. It is felt to be worse than war.

Therein lies its immense value to the U.S. military-industrial complex, and to a foreign policy elite seeking an acceptable pretext for military intervention wherever they choose.

The obsession with “genocide” as the primary humanitarian issue in the world today relativizes war. It reverses the final judgment of the Nuremberg Trials that:

War is essentially an evil thing. Its consequences are not confined to the belligerent states alone, but affect the whole world. To initiate a war of aggression, therefore, is not only an international crime; it is the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole.

Instead, war is transformed into a chivalrous action to rescue whole populations from “genocide”.

At the same time, national sovereignty, erected as the barrier to prevent strong nations from invading weaker ones, that is, to prevent aggression and “the scourge of war”, is derided as nothing but a protection for evil rulers (“dictators”) whose only ambition is to “massacre their own people”.

This ideological construct is the basis for the Western-sponsored doctrine, forced on a more or less reluctant United Nations, of “R2P”, the ambiguous shorthand for both the “right” and the “responsibility” to protect peoples from their own governments.

In practice this can give the dominant powers carte blanche to intervene militarily in weaker countries in order to support whatever armed rebellions they favor. Once this doctrine seems to be accepted, it can even serve as an incitement to opposition groups to provoke government repression in order to call for “protection”.

One among many examples of this cottage industry is a program called “World Without Genocide” at the William Mitchell College of Law in my home town, Saint Paul, Minnesota, whose executive director Ellen J. Kennedy recently wrote an article for the Minneapolis Star Tribune which expresses all the usual clichés of that seemingly well-meaning but misguided campaign.

Misguided, and above all, misguiding. It is directing the attention of well-intentioned people away from the essential cause of our time which is to reverse the drift toward worldwide war.

Ms. Kennedy blames “genocide” on the legal barrier set up to try to prevent aggressive war: national sovereignty. Her cure for genocide is apparently to abolish national sovereignty.

For more than 350 years, the concept of “national sovereignty” held primacy over the idea of “individual sovereignty.” Governments basically had immunity from outside intervention despite human-rights violations they perpetrated within their borders. The result has been an “over and over again” phenomenon of genocide since the Holocaust, with millions of innocent lives lost in Cambodia, Bosnia, Rwanda, Congo, Guatemala, Argentina, East Timor — the list is long.

In fact, Hitler initiated World War II precisely in violation of the national sovereignty of Czechoslovakia and Poland partly in order, he claimed, to stop human rights violations that those governments allegedly perpetrated against ethnic Germans who lived there. It was to invalidate this pretext, and “save succeeding generations from the scourge of war”, that the United Nations was founded on the basis of respect for national sovereignty.

Of course, there is no chance that the United States will abandon its national sovereignty. Rather, all other countries are called upon to abandon their national sovereignty – to the United States.

Ms. Kennedy’s lengthens her list by arbitrarily grouping disparate events under the single label of “genocide”, mostly according to their place in the official U.S. narrative of contemporary conflicts.

But the significant fact is that the worst of these slaughters – Cambodia, Rwanda and the Holocaust itself – occurred during wars and as a result of wars.

The systematic rounding up, deportation and killing of European Jews took place during World War II. Jews were denounced as “the internal enemy” of Germany. War is the perfect setting for such racist paranoia. After all, even in the United States, during World War II, Japanese American families were dispossessed of their property, rounded up and put in camps. The result was not comparable, but the pretext was similar.

In Rwanda, the horrific slaughter was a response to an invasion by Tutsi forces from neighboring Uganda and the assassination of the country’s president. The context was invasion and civil war.

The Cambodian slaughter was certainly not the fault of “national sovereignty”. Indeed, it was precisely the direct result of the U.S. violation of Cambodia’s national sovereignty. Years of secret U.S. bombing of the Cambodian countryside, followed by a U.S.-engineered overthrow of the Cambodian government, opened the way for takeover of that country by embittered Khmer Rouge fighters who took out their resentment against the devastation of rural areas on the hapless urban population, considered accomplices of their enemies. The Khmer Rouge slaughters took place after the United States had been defeated in Indochina by the Vietnamese. When, after being provoked by armed incursions, the Vietnamese intervened to overthrow the Khmer Rouge, they were condemned in the United Nations by the United States for doing so.

Some of the bloodiest events do not make it to Ms. Kennedy's "genocide" list. Missing is the killing of over half a million members of the Indonesian Communist Party in 1965 and 1966. But the dictator responsible, Suharto, was "a friend of the United States" and the victims were communists.

But while ignoring over half a million murdered Indonesians, she includes Bosnia on her list. In that case, the highest estimate of victims was 8,000, all men of military age. Indeed, the NATO-linked International Criminal Tribunal (ICTY) has ruled that the 1995 Srebrenica massacre was "genocide". To arrive at this verdict, despite the fact that the alleged perpetrators spared women and children, the ICTY found a sociologist who claimed that since the Muslim community of Srebrenica was a patriarchy, murdering the menfolk amounted to "genocide" in a single town, since the women would not return without the men. This far-fetched judgment was necessary to preserve "Bosnia" as Exhibit A in the case for NATO military intervention.

It is generally overlooked that Srebrenica was a garrison town where the Muslim men in 1995 were not all natives of that originally multi-ethnic town and had been carrying out attacks on surrounding Serb villages. Nor have Western media given much attention to the testimony by Srebrenica Muslim leaders of having heard the Islamist party leader, Alija Izetbegovic, confide that President Clinton had said that a massacre of at least 5,000 Muslims was needed to bring the "international community" into the Bosnian civil war on the side of the Muslims. Those Muslim leaders believe that Izetbegovic deliberately left Srebrenica undefended in order to set up a massacre by vengeful Serbs.

Whether or not that story is true, it points to a serious danger of adopting the R2P principle. Izetbegovic was the leader of a party which wanted to defeat his enemies with outside military aid. The world is rife with such leaders of ethnic, religious or political factions. If they know that "the world's only superpower" may come to their aid once they can accuse the existing government of "slaughtering its own people", they are highly motivated to provoke that government into committing the required slaughter.

A number of former U.N. peacekeepers have testified that Muslim forces in Bosnia carried out the infamous "Marketplace bombings" against Sarajevo civilians in order to blame their Serb enemies and gain international support.

How could they do such a horrid thing? Well, if a country's leader can be willing to "massacre his own people", why couldn't the leader of a rebel group allow some of "his own people" to be massacred, in order to take power? Especially, by the way, if he is paid handsomely by some outside power – Qatar for instance – to provoke an uprising.

A principal danger of the R2P doctrine is that it encourages rebel factions to provoke repression, or to claim persecution, solely to bring in foreign forces on their behalf. It is certain that anti-Gaddafi militants grossly exaggerated Gaddafi's threat to Benghazi in order to provoke the 2011 French-led NATO war against Libya. The war in Mali is a direct result of the brutal overthrow of Gaddafi, who was a major force for African stability.

R2P serves primarily to create a public opinion willing to accept U.S. and NATO intervention in other countries. It is not meant to allow the Russians or the Chinese to intervene, say, to protect housemaids in Saudi Arabia from being beheaded, much less to allow Cuban forces to shut down Guantanamo and end U.S. violations of human rights – on Cuban territory.

U.S. intervention does not have a track record of "protecting" people. In December 1992, a Marine battalion landed in Somalia in "Operation Restore Hope". Hope was not restored, Marines were massacred by the locals and were chased out within four months. It is easier to imagine an effective intervention where none has been attempted – for instance in Rwanda – than to carry it out in the real world.

For all its military power, the United States is unable to make over the world to its liking. It has failed in Iraq and in Afghanistan. The 1999 “Kosovo war” is claimed as a success – only by studiously ignoring what has been going on in the province since it was wrested from Serbia by NATO and handed over to Washington’s ethnic Albanian clients. The “success” in Libya is publicly unraveling much faster.

Like all the R2P advocates, Ms. Kennedy exhorts us “never again” to allow a Holocaust. In reality there has “never again” been another Holocaust. History produces unique events which defy all our expectations.

But what, people ask me, if something that dreadful did happen? Should the world just stand by and watch?

What is meant by “the world”? The Western ideological construct assumes that the world should care about human rights, but that only the West really does. That assumption is creating a deepening gap between the West and the rest of the world, which does not see things that way. To most of the real world, the West is seen as a cause of humanitarian disasters, not the cure.

Libya marked a turning point, when the NATO powers used the R2P doctrine not to protect people from being bombed by their own air force (the idea behind the “no fly zone” UN resolution), but to bomb the country themselves in order to enable rebels to kill the leader and destroy the regime. That convinced the Russians and Chinese, if they had had any doubts, that “R2P” is a fake, used to advance a project of world domination.

And they are not alone and isolated. The West is isolating itself in its own powerful propaganda bubble. Much, perhaps most of the world sees Western intervention as motivated by economic self-interest, or by the interests of Israel. The sense of being threatened by U.S. power incites other countries to build up their own military defenses and to repress opposition militants who might serve as excuses for outside intervention.

By crying “genocide” when there is no genocide, the U.S. is crying wolf and losing credibility. It is destroying the trust and unity that would be needed to mobilize international humanitarian action in case of genuine need.

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