

"Armenia to Rwanda - Genocide in the 20th Century - Has humanity learnt anything?"

Speech by Dr Sev Ozdowski OAM, Human Rights Commissioner at the Armenian Genocide Commemorative Lecture, NSW Parliament Theatre, Thursday 29 April 2004

Introduction

Firstly I would like to acknowledge the traditional owners of the land on which we stand and pay my respects to their elders both past and present.

Distinguished guests, it is a great honour to follow in the footsteps of so many illustrious speakers in delivering this commemorative lecture.

In so doing however I am confronted with the classic dilemma of many, namely what fresh insight can I bring to bear on this subject that has not already been canvassed.

So, at this point I would like to make a declaration.

In preparing for this lecture I have read widely on the subject. And I thank the organisers for encouraging me to do this.

But as a result you may possibly pick up resonances of other speeches. Therefore if I have consciously or unconsciously plagiarised someone else's words or ideas - I must plead guilty!!

Poland and genocide

But to continue; in my effort to find some new soil to till, I have dug deep into my bag of rhetorical flourishes, and decided to employ another classical technique by looking initially at genocide from a more personal perspective as it relates to my country of birth, Poland and her history. Allow me also to share with you a few of my family memories.

It is of course very appropriate today to remember Poland in this context of a commemorative lecture about the Armenian Genocide. Because it was Hitler himself in 1939, prior to the invasion of Poland who exhorted his Army High Command to:

".....send to death mercilessly and without compassion, men, women and children who stand in the way (of Lebensraum) because, 'who today remembers the extermination of the Armenians?'

Many of you here today would have knowledge of the genocide committed from 1939 onwards by the Germans against the Polish and European Jews.

Six of the main extermination camps were sited in German occupied Poland including the infamous Auschwitz, its auxiliary Birkenau and of course Treblinka.

Jan Karski

In this regard I had the great privilege some years ago of meeting here in Australia the Pole, Jan Karski. My wife and I were privileged to host him for a number of days in Canberra and to talk with him at length.

This extraordinary man smuggled himself into the Warsaw Ghetto in 1942 and saw the terrible death being visited upon the Jews. He then went and observed, from the exterior, the Jewish extermination camp at Belzec.

He took this information about the extermination of the Jews to the top Allied war leaders, including personal meetings with Roosevelt and Eden. He had asked the leaders to take action to stop the genocide.

Unfortunately to little avail.

When Karski met Anthony Eden in 1943, then the British Foreign Secretary, to personally report about the holocaust and asked him to take steps to prevent it, Eden replied "*that Great Britain had already done enough by accepting 100,000 refugees*".

Some people to whom Karski described his experience - simply refused to believe his message. It was just too difficult to comprehend.

Justice Felix Frankfurter of the US Supreme Court and former Presidential adviser replied: "*Mr Karski. I am unable to believe you.*" When challenged by a Polish diplomat present at the meeting whether he was calling Mr Karski "a liar", Frankfurter replied: "*I did not say this young man is lying. I said I am unable to believe him. There is a difference.*"

However, for these and other acts of selfless heroism he received many high honours, including in 1982, recognition by the Israeli Government as one of the "*righteous amongst nations*".

Treatment of non Jewish Poles

Perhaps less well known, about this terrible period, is the mass deportation of non-Jewish Poles, who were classified by the Germans as "*Polish leadership and intelligentsia*".

They were forcibly removed from western Poland which was incorporated into the Third Reich and relocated in Eastern Poland. This was the fate of my family. Many, including both my grand parents were ethnically cleansed, to use the contemporary expression, from Wielkopolska to a small town called Opoczno in south-eastern Poland. In 1939 the majority of the population of Opoczno was Polish-Jewish.

I remember my mother telling me that one day, early in the morning in mid-October 1939, German SS-officers accompanied by German soldiers and police, forcibly entered her family home in Jarocin and gave them 15 minutes to pack up and leave. While they were packing, a local German family was already moving in.

Then my mother aged 15, her younger sisters and brother and other members of her extended family (total of 19 persons) were marched to a transit depot. Soon after they had their bags taken away from them - meaning that whatever they managed to salvage when leaving was simply stolen. Three days later they were put, together with several hundred others, on a goods train and driven for several days to Opoczno. They arrived, sick and starving and were told to settle there.

Most of my family survived this ordeal. But most of the Jewish population of Opoczno were

subsequently taken away and gassed. Those Poles relocated from the West who survived, were lucky that the war ended when it did. Because as "*Undermenche*" or sub-humans they knew they were next in line.

Similar treatment was accorded to the Poles who had ended on the Soviet side of the Ribentrop-Molotov divide - the agreed border between Germany and Russia. Just remember Katyn and other extermination camps where the 14 thousand Polish officers and many others perished.

Teutonic Knights and Prussians

However far fewer of you here today would be aware of one of the earlier examples of genocide committed in territory currently occupied by Poland between 1226 and 1288.

This was committed by the Teutonic Knights, or to give them their full title "*The Order of the Hospital of the Blessed Virgin Mary of the German House of Jerusalem*".

These ex-crusaders were invited by a Polish Prince Konrad of Mazovia, to assist with his program of conversion and subjugation directed against the pagan Prussian tribes to the north of his borders.

In 62 years the Teutonic Knights managed to utterly eradicate the Prussian tribes and establish themselves in their place, much to the distress of Konrad's successors who then endured roughly 200 years of conflict with the Teutonic Knights.

Old Testament Tales

But as you know, genocide is not a phenomenon limited to a particular time or location. And here is another example to illustrate this.

Going even further back in time, but leaving Poland for the Middle East, those of you present today who have not recently read the Bible may be surprised at the language.

For instance in the Old Testament in the first Book of Samuel, Yahweh directs Saul through Samuel to:

"...go and strike down (the enemy tribe of) Amalek; put him under the ban with all he possesses. Do not spare him but kill man and woman, babe and suckling, ox and sheep, camel and donkey".

I will leave the interpretation of such utterances to biblical scholars, much better qualified than I for such a task. The point I wish to make here is that genocide is not a novel, contemporary invention, but it has been with the human race for centuries.

Definition of Genocide

Now I would like to make three general observations about genocide. But perhaps, let us start first with a definition of genocide.

As I understand "genocide" it means the organised killing of a people for the express purpose of putting an end to their collective existence.

Because of its scope, genocide requires central planning and a machinery to implement it.

Invariably genocide will therefore be a 'state crime' as usually only a government has the resources to carry it out.

Armenian Genocide

Hence the Armenian Genocide, centrally planned and administered by the Turkish government against the entire Armenian population of the Ottoman Empire, initially between the years 1915 to 1918 and then from 1920 to 1923.

It is estimated that 1.5 million Armenians perished between 1915 and 1923. By 1923 the entire landmass of Asia Minor and historic West Armenia had been expunged of its Armenian population.

Rwandan Genocide

In the more recent case of the Rwandan Genocide, on April 6, 1994 the Hutu dominated central government conspired to murder approximately 800,000 Tutsi. This out of a total pre-massacre Rwandan population of 7 million people with the percentage divided roughly 85% Hutu to 15% Tutsi.

This equates to 76% of the Tutsi population of Rwanda being slaughtered in about 100 days. And of course, in addition, approximately 2 million Rwandans, comprising Tutsi, moderate Hutu and - ironically - some hard line extremist Hutu, took refuge in camps across the border in Goma, Zaire.

Genocide - three observations

Returning now to my three general observations about genocide; without pretending for a moment to have studied all generally acknowledged genocides, it seems to me that three factors can be identified:

Information about the occurrence of the genocide, will be available to the nations of the world, while it is still being carried out;

Invariably little or nothing is done at the time of the genocide by exterior nations or bodies to halt the genocide;

Genocide is invariably about politics, or more particularly about political power and dominance. Either the assuming of it or the maintenance and strengthening of it.

Conversely, of course this means, that avoiding or eliminating genocide requires in many cases internally generated political solutions. This is particularly the case where the genocide is being committed by

But more on that later.

Knowledge of the Genocide

To take the first point. In both the Armenian and Rwandan genocides the outside world was well aware of what was happening.

In the case of Armenia, although the "Young Turk" government took precautions and imposed

restrictions on reporting and photographing, there were any number of foreigners - American diplomats, missionaries and German army officers (Germany and Turkey being war allies) who were aware of what was happening and reported on it.

Some of these reports made headline news in the American and Western media at the time.

In the case of Rwanda, within 48 hours of the massacres commencing, French and Belgium troops combined to evacuate all foreign nationals from the capital Kigale.

Within minutes of the UN troops abandoning their base in a former school, which had also become a refuge for several thousand Tutsis and moderate Hutu, the militia and Presidential Guard stormed the compound and began massacring those present.

Ambassador David Rawson of the United States stayed on in Kigale for a further 10 days after this event.

So plenty of information to the outside world in both cases.

Little or nothing will be done

Turning now to my second hypothesis that little or nothing will be done by the outside world to stop the massacre.

With Armenia, Great Britain, France and Russia warned the "Young Turk" leaders they would be held personally responsible for this crime against humanity.

But this must be balanced against the fact that by this stage the parties were at war. Undoubtedly the biggest opportunity to impose sanction, if only for those Armenians who had survived, occurred after the war.

At Versailles, America, Britain and France could have forced the Turkish government to make restitution to the Armenian people for their immense material and human losses. But nothing was done.

In the case of Rwanda the international paralysis that occurred is even more starkly revealed. This despite the adoption in 1948 of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide.

This Convention, amongst other things, requires signatory nations to condemn genocidal slaughter when it is occurring and act to stop it. France and Belgium are both signatories and yet they did nothing, despite their troops' involvement in the evacuation of all foreign nationals.

The United States is a signatory to this Convention. It is presumably for this reason that US Ambassador Rawson characterised the massacres as *"tribal killings"* and after three weeks only declared the situation: *"a state of disaster"*.

Use of the "G" word by any senior official was clearly a no, no!!

The United Nations itself dithered both at the Security Council level and operationally. Then Assistant Secretary-General for UN peacekeeping operations and Undersecretary-General Kofi Annan, seemed unable to act decisively, despite prior warning from Romeo Dallaire, the Canadian general commanding UN forces on the ground in Rwanda. This meant that a UN troop

deployment that had been accorded "*utmost urgency*" by the Security Council on April 29, was only finally approved on June 9.

It has been subsequently estimated that about 10,000 Rwandans a day were dying, so I'll leave you to ponder the maths as to what a five week delay meant.

Nuremberg and the ICC

For the sake of completeness, it should be acknowledged that there have been some isolated examples where governments have been prepared to mete out justice to the perpetrators of Genocides. The Nuremberg trials and more recently the 1998 creation of the International Criminal Court (ICC), which is specifically charged to hold accountable and bring to justice those responsible for mass murder, genocide and war crimes, are two cases in point. However it is too early to judge the effectiveness of the ICC.

Genocide and Politics

And finally to the third leg of my trifecta, genocide is inextricably bound up with politics.

When I first commenced serious research into this speech I had the notion that one way or another, genocide was mostly connected with racism, persecution of minorities or in some instances, economic/ideological considerations.

When you think of the Armenian Genocide, Stalin and the Ukraine, the Jewish Holocaust, Pol Pot, Idi Amin in Uganda and finally, Rwanda, it is difficult to see beyond these issues.

It is difficult to see political dimension of genocide because:

Firstly and self-evidently usually, but not always, genocide is generally directed against ethnic minorities.

Secondly and I think most importantly, because it is the language or rhetoric that the leaders of genocide use. Usually they aim to generate racial hatred or hysteria when they whip up their followers, or seek to justify the necessity for their actions after the event.

In fact, political objectives are rarely stated in an open fashion by leaders of genocide.

Power and Domination

But I believe that when you look beneath the surface, you invariably find the issue is one of political power and domination.

There is not time, nor do I profess to be equipped to suggest this hypothesis applies in respect of every act of genocide. But I do believe there is enough validity in it, to at least set you thinking about the subject.

If I am right, then the longer term solution for eliminating genocide does not lie with armed intervention from a UN perspective. Such action is invariably aimed at separating the victims from their pursuers, although of course on occasions that will be necessary.

Apart from any other consideration, such UN intervention may only be applicable in the case of,

what I will colloquially call 'domestic genocide', a situation like Rwanda, where general war has not broken out. Of course, in the case of the Armenian Genocide and The Holocaust, the presence of generalised warfare makes for complications. In the case of the Holocaust, some aspects of that genocide were committed by an invading army. Clearly the UN would have found intervention in those cases problematic.

People have to learn to co-exist

In absence of external aggression, to avoid genocide people have to learn to coexist. That is because realistically, at some point, those protective UN or other outside forces will have to leave.

The current situation in Kosovo and dare I suggest it, Iraq, are cases in point. The UN/Coalition of the Willing, is still present, but the problems don't seem to be resolving.

Northern Ireland is another case in point.

At some stage the British Government will probably withdraw and then Catholics and Protestants, on the ground in Northern Ireland, will have to get on with the business of managing political power in a way that actually works, for all the people of Northern Ireland.

How democracies function

It is a commonly held wisdom that a key to coexistence between majority and minorities within a country, is a well functioning democracy.

Remember, however, even in a well functioning democracy like Australia, government only works because the 49% of the population who voted for the other side are prepared to accept the result and let the government manage on their behalf.

Hence why political leaders, on winning, say they are going to "govern on behalf of all Australians"; rhetoric we all take with a grain of salt, but it's pretty important really.

Especially when you think what the alternative proposition might lead to.

Anecdotal evidence has even suggested this was one of the reasons, the then Prime Minister, Malcolm Fraser was reluctant to embark on a more radical legislative agenda reflecting his previous reputation as an "economic dry". One theory has it that he was apprehensive it might cause massive civil disobedience from voters, who objected to the way the Governor-General had acted with regard to Gough Whitlam.

Of course even in a well functioning democracy there will always be some fraying around the edges; majority government does tend to mean that the majority view gets the parliamentary numbers.

Hence why you need 'equality laws' and a Bill of Rights and independent human rights watchdogs, to provide additional protections to various different minorities in various different scenarios.

Anyway, the mechanistic imposition of democracy on a country does not always provide a well functioning society, although it may prevent some human rights abuses. Few of us would think that the imposition of democratic principles on Iraq from outside, will automatically deliver a well

functioning democratic Iraqi state.

Well functioning civil society

It is that in a well functioning civil society, the major political parties will have the maturity to encompass the widest variety of creeds, colours and values.

In this way no particular group within that society should feel disenfranchised, nor should any homogeneous group feel so empowered as to feel able to oppress any minority group.

The other checks and balances will also need to be there of course: a Constitution, independent judiciary, regular elections, a broad franchise, police and armed forces that are always subordinate to the elected government of the day, free press and a flourishing NGOs with strong human rights culture.

To sum it up, genocide is unlikely to be perpetrated in a well functioning modern democracy based on a vibrant and well established civil society. Democratic countries are also unlikely to start wars to visit genocide on other nations.

Genocide - why is it still around

But genocide still does happen from time to time, especially in less developed, non-democratic countries. Why it is so and what could be done to prevent it from happening is my next offering.

Let us return first to my earlier generalisations on the nature of genocide. I have previously referred to the persistence of genocide. In fact this must be a matter of the most profound disappointment that mankind still has to grapple with this issue.

Clearly it is a form of wickedness which mankind has very great difficulty in foregoing.

I think this reflects the ongoing need to reconcile mankind's primitive survival instincts, which demands that one "group" must prevail over the "other group" in the competition for scarce resources; with the evolution of our finer, civilising sensibilities which attempts to channel the aggression into more productive paths.

Genocide conventions and UN security forces not enough

That being so, while it is important that we have international conventions outlawing genocide and the capacity to enforce that sanction, through bodies like the UN, and an ICC, we must acknowledge them to be only a partial answer to the problem of genocide.

I have already demonstrated in the case of Rwanda, the inefficiency of that response.

Even when the system is able to act quickly enough to head off the opposing parties, before the bloodshed starts, sooner or later the supervising force must depart. Then the opposing parties must be able to deal with each other.

However that is not to dismiss the UN's contribution in another important area; namely the possibility of long term solutions involving human rights education, based around agreed and secular values.

UN inspired human rights

In particular the UN has established human rights concepts, or generally accepted universal rights, the use of which assist in the maintenance of a civil society both inwardly and outwardly. These rights might need strengthening, protection and education about their meaning, but they still provide the best template for action.

Specifically they provide the key to relationships between individuals and groups in a society.

What Rights?

- Rights securing life, liberty and security of a person;
- Equality before the law , right to a fair trial and due process;
- Right not to be discriminated against in society by government/organisation/individuals because of: race, sex, religion, social status;
- Right to participate in the political process and elect the government;
- Allowance for majority rule and protection of the minority;
- Right to freedom of thought, religion and association;
- Unfettered access to economic, social and cultural rights.

But the key here is: adherence to values and principals that are universally accepted and secularly based.

While religious ideals may have originally inspired many secular human rights, in a modern civil society, the interaction of many different religious faiths may make agreement difficult.

Therefore I would argue that it is better to let individuals privately worship, while publicly adhering to a secular set of values. And the international human rights law provides such a generally agreed set of norms.

NHRIs

And this is where I believe bodies such as HREOC or National Human Rights Institutions come in.

While there are many constituent parts to the "human rights family" - NGOs, Ombudsmen, UN oversight bodies to name but a few - clearly the national independent human rights institutions (NHRIs) have a very important role to play in this balancing process.

By NHRIs I mean independent organisations established and resourced by national governments, within certain UN defined guidelines, to protect and promote human rights in a given country.

The role of NHRIs continues to be of key importance in any civil society as any democratically elected government is more likely to consider the needs of the majority, while an NHRI is often more concerned with protecting the rights of minorities, or those who challenge the majority's view.

And the truth of this statement is surely partly reflected in the worldwide push towards increasing numbers and strength of NHRIs.

Multiple influences on vibrant 'civil society'

Another important condition for a well functioning national institution is the existence of a vibrant civil society that can cooperate with, but also act as a watchdog over national institutions.

But the key thing to remember is that an effective NHRI needs to be a watchdog not a lapdog. The test is - if government approves of you too much, there is something wrong with your independence and with your role as an effective protector of human rights.

In a civil society once the NGOs start barking - this is the time to double check - to be sure that you are not turning into a lapdog.

How does this affect Australians

Let us now briefly focus on Australia. In my various meetings around Australia in the post 9/11, post Bali, Iraq War world, I am occasionally asked whether I detect any signs of significant stresses between different groups of Australians.

In my view the majority of Australians prefer the model of a "modern" society. They wish to have state and church separated, an economy driven by profit motives but with a broad based safety net. They enjoy Australia being in the forefront of economic and social development.

Different minorities on different issues

But we also recognise that there are some Australians who may be in a minority at different times or over different issues. For example for many Moslem Australians, religion is an integral part of their whole community and lifestyle.

Other Australians, for example on the economic front, believe that we should limit our consumption and save resources for future generations.

Some members of our community, such as retirees may have different views on the allocation of relatively scarce community support facilities.

So how do we best deal with these "mini-clashes" before they escalate into "significant stresses" and maybe ultimately the unthinkable: "genocide".

Accommodate differences through secular values

First, we need to have a strong set of secular standards in order to accommodate our differences. And I believe that we have such standards - these are human rights standards, which in the popular mind are associated with the United Nations. They are the "good behaviour rules", "the grease which oils the wheels".

In other words we need to ensure that community values in this country intersect with human rights values. This is the secular roadmap that we will all need to consult, no matter what our religious belief or stance on economics or community resource allocation, as we navigate our way through a community that aspires to civil discourse and behaviour.

These standards, especially those already fully incorporated into our domestic laws, such as sex,

race and disability need to be the continuing subject of mass education.

Additionally we also need to strengthen the menu of rights by creating better ways to implement them, especially in the field of civil and political liberties (eg bill of rights).

To sum up we should continue to create a human rights culture based on the knowledge and understanding of the existing human rights and anti-discrimination laws. It is important to create respect for other cultures and tolerance of religious differences.

As Kofi Annan: said

"...the perception of diversity as a threat is the very seed of war".

Between, and within civilisations, dialogue and good conflict resolution skills are the preferred methods of dealing with such cultural tensions.

Conclusion

But for our dialogues to be real, not based on mantras, they need to aim for better understanding of the differences.

They need to use the human rights principles as a point of departure and then move to where the differences are, to more particular examples. They need to explore and not be afraid of discovering where the real differences lie and try to understand the other point of view.

Accordingly obligations are created on both the majority exponents of any particular issue in the community at any moment in time and the minority exponents of a contrary position.

The majority must ensure non discrimination and turn their back on the excuse to use the situation as an opportunity to entrench their political power.

The minority must appreciate that its values are not obligatory on all and retain a degree of flexibility where private and public life intersect.

Respecting separateness and its associated values and lifestyles, brings with it an obligation to remain engaged with broader society.

Australia has most successfully achieved this to date but overseas experience tells us to be watchful.

Ultimately all our human transactions are enhanced by the degree to which we respect each other's human rights. Thus my 'call to arms' today, is that each and everyone of us must take personal responsibility for our behaviour in this regard. Clearly the scourge of genocide is something that potentially lurks just below the surface of human consciousness. It is up to each of us as individuals to ensure it does not bubble up to the surface.

