

**AFRICAN CENTRE FOR TRANSNATIONAL CRIMINAL JUSTICE
FACULTY OF LAW
UNIVERSITY OF THE WESTERN CAPE**

in collaboration with

THE FACULTY OF LAW, NORTH-WEST UNIVERSITY

**Commemorating the 30th Anniversary of the
Genocide in Rwanda**

CONFERENCE CALL FOR PAPERS

CONFERENCE THEME:

**Genocides as Critical Junctures: In Search of an
African Vision of International Criminal Justice**

Date: 6-8 May 2024

Format: Hybrid

Venue: In-Person: Kader Asmal Moot Court,
Faculty of Law, University of the Western Cape,
Cape Town, South Africa

Online: Zoom. (Link will be sent to participants).

Click [HERE](#) to register in advance for this conference.

CONCEPT NOTE

Throughout the twentieth century, the African continent witnessed several episodes of genocides. In fact, the Nama and Herero Genocide of 1904 – 1908 is generally regarded as the first genocide of the 20th Century. In Congo, millions of Africans were slaughtered under Belgian colonial rule.¹ There are other less clear-cut and less-known cases across the continent such as that involving the British in Kenya.² Nevertheless, one common characteristic of these cases is that they involved wars of colonial conquest—the genocides were perpetrated to break resistance to colonial subjugation. However, the genocides that occurred on the African continent in the second half of the 20th Century were perpetrated by local actors in post-colonial African States. Whether it was in Biafra (1967 – 1970), Rwanda in 1994, or the Darfur in 2003, it is clear that genocides are still very much with us in Africa. The case of Rwanda is particularly poignant.

On 6 April 1994, the plane carrying the Rwandan President Juvenal Habyarimana and his Burundian counterpart Cyprien Ntaryamira was shot down over Rwanda’s capital city, Kigali, killing everyone on board. Presidents Habyarimana and Ntaryamira belonged to the Hutu ethnic group, which forms the majority of the population in Rwanda.³ This incident triggered a hundred days of violence in which about 800 000 minority ethnic Tutsis and moderate ethnic Hutus were killed by ethnic Hutu extremists. It is reported that about 75% of the Tutsi population reportedly died during the mass killings.⁴ There is a huge volume of literature covering different aspects of the Rwandan genocide and the efforts to give meaning to the mantra “Never Again” since then. Ever since, there have been legal, normative and institutional developments as responses to the genocide. Current developments in the jurisprudence of the ICJ including *Gambia v Myanmar*, *Ukraine v Russian Federation* and South Africa’s current legal intervention in the Israeli-Palestinian conflict reinforce the need to seize the opportunity of the 30th anniversary of the Rwanda Genocide to re-examine the legal, normative and institutional developments in the field since the Rwanda genocide and the extent to which it can be said that Rwanda was indeed a critical juncture in the prevention and punishment of genocides.⁵

¹ Robert G. Weisbord *The King, the Cardinal and the Pope: Leopold II’s genocide in the Congo and the Vatican* (2003) 5(1) *Journal of Genocide Research* 35–45.

² Martin Crook *The Mau Mau Genocide: A Neo-Lemkinian Analysis* (Spring 2013) 1(1) *Journal of Human Rights in the Commonwealth* pp.18–37.

³ For detailed overview of the Rwandan genocide see Alison Des Forges, *Human Rights Watch Report* (March 1999), “Leave none to tell the story: Genocide in Rwanda” <https://www.hrw.org/reports/pdfs/r/rwanda/rwanda993.pdf> (accessed 15 September 2023); Helen M Hintjens, “When identity becomes a knife: Reflecting on the genocide in Rwanda” (2001) 1:1 *Ethnicities* 25-55, <https://doi.org/10.1177/146879680100100109>; Andre Guichoua, Translated by Don E Webster, *From War to Genocide: Criminal Politics in Rwanda, 1990-1994* (University of Wisconsin Press, 2015).

⁴ Gerard Prunier, *The Rwandan Crisis: History of a Genocide* (Columbia University Press, 1997).

⁵ Application of the Convention on the Prevention and Punishment of the Crime of Genocide (*The Gambia v. Myanmar*); Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (*Ukraine v. Russian Federation*); Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (*South Africa v. Israel*). See the Republic of South Africa institutes proceedings against the State of Israel and requests the Court to indicate provisional measures, Available at

CALL FOR PAPERS

The African Centre for Transnational Criminal Justice (ACTCJ), University of the Western Cape, in collaboration with the Faculty of Law, North-West University, will host a three-day conference to commemorate the 30th Anniversary of the Rwandan genocide. The purpose of the conference is to, among other things, bring experts together to interrogate the extent to which the Rwanda genocide was a turning point in humanity's struggle against mass atrocities and the will of the international community to live up to its lifelong-eternal promise of "Never Again" not only with regards to Africa but to every corner of the earth. Drawing on Rwanda, the conference will assess the impact of the legal and institutional developments, the successes and failures of the response(s) to genocides in Africa and other parts of the globe, the progress made and what probably lies ahead. Papers addressing comparative approaches on how international criminal law, international humanitarian and human rights law, transitional justice have responded to episodes of genocides in Africa and beyond are welcomed.

We particularly welcome papers that adopt critical approaches guided by the following broader questions including, but not limited: to what extent can we say that the Rwandan genocide was a critical juncture in the prevention and punishment of genocide? In what ways does Africa's colonial experience explain its contemporary episodes of genocides? To what extent has the ICC and the ad hoc tribunals or their local alternatives contributed to the deterrence of perpetrators of genocide? How should the international community address the constraining effect of realpolitik on collective action through the UN Security Council and how can universal jurisdiction or regional arrangements be leveraged in this respect? How effective is the use of ICJ provisional measures or ICC referral in the prevention of genocides? To what extent can pluralist conceptions of international criminal justice address impunity?

Abstracts for papers that address the following broad thematic areas among others, are invited.

- Critical approaches to the prevention and punishment of genocide by international criminal justice;
- Emergent theoretical issues in international criminal justice since the Rwandan genocide
- Contested cases of genocides in Africa and elsewhere since Rwanda;
- Understanding drivers of genocides and crafting proper responses;
- Intervention by different actors including, international and regional organisations, CSOs/NGOs, to prevent genocides;
- The role of African national, regional, continental and international judicial bodies in preventing genocides;

<file:///C:/Users/jiyi/Downloads/192-20231229-pre-01-00-en-1.pdf>. No. 2023/77, 29 December 2023, (Retrieved on 31 December 2023).

- The legacy of the ICTR and gacaca;
- Comparative perspectives on national initiatives to prevent and punish acts of genocides.

Abstracts not exceeding 350 words should be submitted to Dr Linda Mushoriwa: lmushoriwa@uwc.ac.za cc Dr John-Mark Iyi : jiyi@uwc.ac.za and Prof Avitus Agbor: Avitus.Agbor@nwu.ac.za .

Contributors of accepted abstracts will be invited to submit the full version of their papers by 31 August 2024 which will be published in a special journal issue subject to peer review.

Timeline

Deadline for receiving abstracts: 11 March 2024

Notification of accepted abstracts: 15 March 2024

The conference will be held between 6 - 8th May 2024 in hybrid format.

Full papers are due: 31 August 2024

Click **HERE** to register in advance for this conference.

Following registration, participants will receive a confirmation email containing information about joining the webinar.