

## PAPER 6

# A UN CONSTABULARY TO ENFORCE THE LAW ON GENOCIDE AND CRIMES AGAINST HUMANITY

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## SUMMARY

The signing by 120 states of the statute to establish a permanent international criminal court with jurisdiction over the most heinous of violent international crimes—genocide, other crimes against humanity, and war crimes—marks a moment of great promise, despite the statute's imperfections and the failure of the United States to sign on. It took the United States 40 years, and sustained political efforts by advocates of the world rule of law, to ratify the 1948 Genocide Convention. Sustained political efforts may also change the present U.S. position on the ICC. Human rights organizations and other citizens' groups played an essential role in initiating and shaping the political process that led to the Rome treaty. A similar worldwide citizens' campaign aimed at the creation of a standing UN Constabulary could have similar results in the decade ahead. With these two new, global institutions in place, the prospect for enforcing international criminal law and deterring potential criminals in the future would be immeasurably improved. While the outbreak of violent conflict needs ultimately to be dealt with on the ground, in terms of conflict resolution, education for co-existence, competent and humane governance, and resolution of the socio-economic problems that underlay violent conflict, the creation of a permanent International Criminal Court and a standing UN Constabulary with police powers concerning genocide and crimes against humanity would together go a long way toward breaking the cycle of impunity that has fueled the continuation of genocidal violence in the half century since the Genocide Convention was signed.

The following paper seeks to define the legal basis, the structure and the operational guidelines for a standing UN constabulary.