

(human rights advocacy organizations), social (women's movements and consumer groups) and other components. The strengthening of civil society encourages traditionally marginalized groups such as women and children to participate more.

c) Human rights and conflict prevention

As has been pointed out, respect for human rights must be the foundation for democracy and peace. Africa's urgent situation means that there can be no impunity for violators since this is the most serious obstacle to the establishment of the rule of law, and it encourages the systematic pursuit of lawlessness and violence.

In light of the Rwandan crisis, prevention and punishment of the crime of genocide clearly is an absolute priority since the root causes of the Rwandan genocide are duplicated in a number of African states. These causes include refusal to cede power to another group, incitement to ethnic hatred, political impunity and institutional ineffectiveness. The establishment of the rule of law must therefore begin by putting in place the legal tools needed to combat impunity.

The embedding in law of a clause pertaining to the crime of genocide can be an effective instrument against it. The obligation to prevent genocide is set out in the relevant United Nations Convention adopted by the General Assembly on December 9, 1948. However, this international treaty has been ratified by only about 20 African states. Clearly the obligations arising from the convention are too onerous and demanding; how else might one explain the great reluctance of the states to ratify the convention and apply the concept of genocide?

The ratification of this kind of legal clause will be fully effective only if states have the political will to apply both the letter and the spirit of the law. On this point, la Francophonie can play a decisive role by encouraging and requiring governments to comply with the laws that they have adopted, especially if these laws are linked to international charters or agreements. Too often in Africa inappropriate legal models have been followed, and as a result laws receive mere lip service.

In the case of Rwanda, for example, the existence of a legal clause formally condemning genocide might have proven useful in punishing if not preventing this crime. From the viewpoint of prevention, such a clause would have required states to intervene when the events began to occur, as soon as they took on the character of genocide — in other words relatively early, since everyone really knew what was happening. However, there was no legal obligation to intervene, as there would have been had a specific clause existed on the prevention of genocide.

As for punishment of the crime of genocide, which in turn would have its own preventive effect, states are under no obligation to act with the necessary vigour once the crime is committed. In Europe, punishment of those responsible for the Holocaust has proven to be effective. It should be noted that neither the sole nor the ultimate purpose