

Genocide

Genocide was first recognised as a crime under international law in 1946 by the United Nations General Assembly (<u>A/RES/96-I</u>). It was codified as an independent crime in the <u>1948</u> <u>Convention on the Prevention and Punishment of the Crime of Genocide</u> (the Genocide Convention). The Convention has been ratified by 149 States (as of January 2018). The International Court of Justice (ICJ) has repeatedly stated that the Convention embodies principles that are part of general customary international law. This means that whether or not States have ratified the Genocide Convention, they are all bound as a matter of law by the principle that genocide is a crime prohibited under international law. The ICJ has also stated that the prohibition of genocide is a peremptory norm of international law (*or ius cogens*) and consequently, no derogation from it is allowed.

The definition of the crime of genocide as contained in Article II of the <u>Genocide Convention</u> was the result of a negotiating process and reflects the compromise reached among United Nations Member States in 1948 at the time of drafting the Convention. Genocide is defined in the same terms as in the Genocide Convention in the <u>Rome Statute of the International Criminal Court</u> (Article 6), as well as in the statutes of other international and hybrid jurisdictions. Many States have also criminalized genocide in their domestic law; others have yet to do so.

Source: https://www.un.org/en/genocideprevention/genocide.shtml

UN Entities

 United Nations Office on Genocide Prevention and the Responsibility to Protect: <u>https://www.un.org/en/genocideprevention/</u>

UN Treaties and Declarations

- Convention on the Prevention and Punishment of the Crime of Genocide: <u>https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-prevention-and-punishment-crime-genocide</u>
 - Explainer: What is the Genocide Convention? (UN News, 11 January 2024): <u>https://news.un.org/en/story/2024/01/1145432</u>
- Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity: https://www.ohchr.org/en/instruments-
 mechanisms/instruments/convention-non-applicability-statutory-limitations-war-crimes
- Principles of international co-operation in the detection, arrest, extradition and punishment
 of persons guilty of war crimes and crimes against humanity:
 <u>https://www.ohchr.org/en/instruments-mechanisms/instruments/principles-international-co-</u>
- <u>operation-detection-arrest</u>
 Statute of the International Tribunal for the Former Yugoslavia: <u>https://www.icty.org/en/documents/statute-tribunal</u>
- Statute of the International Tribunal for Rwanda: https://unictr.irmct.org/en/documents
- Rome Statue of the International Criminal Court: https://www.icc-cpi.int/resource-library/Documents/RS-Eng.pdf

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Selected UN Documents

- A/HRC/53/45 (14 December 2023): Prevention of genocide: Report of the Secretary-General: <u>https://undocs.org/A/HRC/53/45</u> Submitted pursuant to Human Rights Council resolution 49/9.
- A/HRC/RES/49/9: Prevention of genocide: resolution / adopted by the Human Rights Council on 31 March 2022: https://undocs.org/A/HRC/RES/49/9
- **A/HRC/48/42** (12 August 2021): Summary of the one-day intersessional meeting with a dialogue on cooperation in strengthening capacities for the prevention of genocide: report of the United Nations High Commissioner for Human Rights: <u>http://undocs.org/A/HRC/48/42</u> Meeting held on 10 Feb. 2021 pursuant to Human Rights Council resolution 43/29.
- A/75/863-S/2021/424 (3 May 2021): Advancing atrocity prevention: work of the Office on Genocide Prevention and the Responsibility to Protect: report of the Secretary-General: <u>http://undocs.org/A/75/863</u>
- A/HRC/40/33 (24 December 2018): Summary report on the High-Level Panel Discussion to Commemorate the 70th Anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide: report of the Office of the United Nations High Commissioner for Human Rights: <u>http://undocs.org/A/HRC/40/33</u>
- Panel held on 13 Sept. 2018, pursuant to Human Rights Council resolution 37/26.
- A/HRC/37/65 (6 June 2018): Joint study on the contribution of transitional justice to the prevention of gross violations and abuses of human rights and serious violations of international humanitarian law, including genocide, war crimes, ethnic cleansing and crimes against humanity, and their recurrence : report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence and the Special Adviser to the Secretary-General on the Prevention of Genocide : note / by the Secretariat: http://undocs.org/A/HRC/37/65
- A/70/621-S/2015/978 (14 December 2015): Letter dated 14 December 2015 from the Permanent Representative of Liechtenstein to the United Nations addressed to the Secretary General: <u>http://undocs.org/A/70/621</u> Transmits "Code of conduct regarding Security Council action against genocide, crimes against humanity or war crimes".
- S/RES/2150 (2014) [on prevention and fight against genocide and other serious crimes under international law]: <u>http://undocs.org/S/RES/2150(2014)</u>
- S/2014/262 (11 April 2014): Letter dated 10 April 2014 from the Permanent Representative of Belgium to the United Nations addressed to the President of the Security Council: <u>http://undocs.org/S/2014/262</u> Transmits the conclusions of the International Conference on Genocide Prevention, which was held in Brussels on 31 March and 1 April 2014 in the presence of the Secretary-General
- S/2014/265 (14 April 2014): Letter dated 11 April 2014 from the President of the Security Council addressed to the Secretary-General: <u>http://undocs.org/S/2014/265</u> Concept note prepared by the delegation of Rwanda: Threat to international peace and security: prevention of and fight against genocide
- **A/63/958** (9 September 2009): Concept note on the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity: note / by the President of the General Assembly: <u>http://undocs.org/A/63/958</u>
- **A/HRC/10/30** (18 February 2009): Efforts of the United Nations System to prevent genocide and the activities of the Special Adviser to the Secretary-General on the Prevention of Genocide : report of the Secretary-General: <u>http://undocs.org/A/HRC/10/30</u> and <u>http://undocs.org/A/HRC/10/30/Corr.1</u>
- A/HRC/10/25 (9 March 2009): Prevention of genocide: report of the United Nations High Commissioner for Human Rights: <u>http://undocs.org/A/HRC/10/25</u>
- A/HRC/7/37 (18 March 2008): Report of the Secretary-General on the implementation of the Five Point Action Plan and the activities of the Special Adviser of the Secretary-General on the Prevention of Genocide: <u>http://undocs.org/A/HRC/7/37</u>
- A/60/863 (8. June 2006): Information and outreach programme entitled "The Rwanda Genocide and the United Nations": Report of the Secretary-General: <u>http://undocs.org/A/60/863</u>

• Further documents on "genocide" and "genocide prevention": <u>https://bit.ly/3ianArv</u> and <u>https://bit.ly/35CdtqB</u>

Selected Statements and Speeches by UN Officials

- Statements by the Special Advisers: <u>https://www.un.org/en/genocideprevention/public-statements.shtml</u>
- UN Human Rights Chief welcomes resolution to commemorate 1995 genocide in Srebrenica (23 May 2024): <u>https://www.ohchr.org/en/press-releases/2024/05/un-human-rights-chief-welcomes-resolution-commemorate-1995-genocide</u>
- We must all 'push back against hatred, intolerance, wherever we find it', says Secretary-General, commemorating 1994 Genocide in Rwanda (SG/SM/22184, 12 April 2024): https://press.un.org/en/2024/sgsm22184.doc.htm
- Extremism, hate awakening humanity's darkest impulses once more, Secretary-General warns, urging 'never again' in Observance Message for 1994 Rwanda Genocide (22 March 2024, SG/SM/22173): <u>https://press.un.org/en/2024/sgsm22173.doc.htm</u>
- Marking International Day, Secretary-General stresses Convention on Genocide 'Must remain a living force in our world', be translated into tangible action (SG/SM/22056, 29 November 2023): <u>https://press.un.org/en/2023/sqsm22056.doc.htm</u>
- Arrest of Fulgence Kayishema in South Africa 'powerful message' that those alleged to have committed genocide cannot evade justice, Secretary-General says (SG/SM/21812, 25 May 2023): <u>https://press.un.org/en/2023/sgsm21812.doc.htm</u>
- Commemorating 1994 Genocide in Rwanda, Secretary-General urges standing firm against rising intolerance, 'being ever vigilant and always ready to act' (SG/SM/21761, 14 April 2023): <u>https://press.un.org/en/2023/sgsm21761.doc.htm</u>
- Be vigilant, stand firm to combat rising intolerance, Secretary-General urges in Message Marking Anniversary of 1994 Rwanda Genocide against Tutsi (SG/SM/21756, 30 March 2023): <u>https://press.un.org/en/2023/sqsm21756.doc.htm</u>
- Do more to 'liberate humanity from scourge of genocide', says Secretary-General in Message for International Day (SG/SM/21618, 6 December 2022): <u>https://press.un.org/en/2022/sgsm21618.doc.htm</u>
- We always have choice between humanity over hatred, Secretary-General stresses in Message for International Day of Reflection on 1994 Rwanda Genocide (SG/SM/21226, 1 April 2022): <u>https://press.un.org/en/2022/sgsm21226.doc.htm</u>
- Escalating violence, rights violations 'alarming warning signs' that should prompt action to prevent future genocide, Secretary-General says on International Day (SG/SM/21066, 7 December 2021): <u>https://www.un.org/press/en/2021/sgsm21066.doc.htm</u>
- Draw on Rwanda's example of justice, reconciliation after 1994 Tutsi Genocide to stop hatedriven movements, Secretary-General stresses in Observance Message (SG/SM/20668, 31 March 2021): <u>https://www.un.org/press/en/2021/sgsm20668.doc.htm</u>
- Heed early warning signs of genocide, Secretary-General stresses on International Day for Victims, urging cooperation in rejecting hate speech, discrimination (SG/SM/20488, 9 December 2020): <u>https://www.un.org/press/en/2020/sgsm20488.doc.htm</u>
- Genocide victims often early targets of hate speech, violence, Secretary-General says in Message for International Day, stressing prevention involves everyone (SG/SM/20482, 8 December 2020): <u>https://www.un.org/press/en/2020/sgsm20482.doc.htm</u>
- 25 Years after Srebrenica Genocide, 'Peace is still fragile', Secretary-General warns in Anniversary Message, calling for steadfast commitment to reconciliation (SG/SM/20169, 9 July 2020): <u>https://www.un.org/press/en/2020/sgsm20169.doc.htm</u>
- Welcoming Kabuga arrest for alleged crimes against humanity in Rwandan Genocide, Secretary-General says ending immunity sends powerful message (SG/SM/20082, 16 May 2020): <u>https://www.un.org/press/en/2020/sgsm20082.doc.htm</u>
- Secretary-General, commemorating 1994 Rwanda Genocide, urges world to reject hate speech, forces of polarization (SG/SM/20036, 6 April 2020): https://www.un.org/press/en/2020/sgsm20036.doc.htm

- Secretary-General welcomes International Court of Justice Order on The Gambia v. Myanmar Genocide Convention Case (SG/SM/19946, 23 January 2020): https://www.un.org/press/en/2020/sqsm19946.doc.htm
 - Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The 0 Gambia v. Myanmar): https://www.icj-cij.org/en/case/178
- Amid alarming surge of xenophobia, racism, Secretary-General calls on states to urgently heed genocide warning signs, in Message for International Day (SG/SM/19900-OBV/1944, 9 December 2019): https://www.un.org/press/en/2019/sqsm19900.doc.htm
- Urging rejection of hate speech, racism on Twenty-Fifth Anniversary of Genocide, Secretary-General says Rwanda's experience holds many lessons for humanity (SG/SM/19544, 12 April 2019): https://www.un.org/press/en/2019/sgsm19544.doc.htm
- Secretary-General, marking Twenty-Fifth Anniversary of Genocide against Tutsi in Rwanda, urges leaders to reject hate speech, discrimination (SG/SM/19523-OBV/1873, 29 March 2019): https://www.un.org/press/en/2019/sqsm19523.doc.htm
- All nations duty-bound to prevent genocide, punish perpetrators, Secretary-General says in observance message, urging universal ratification of convention (SG/SM/19399-L/T/4467-OBV/1850, 7 December 2018): https://www.un.org/press/en/2018/sgsm19399.doc.htm
- All nations duty-bound to prevent genocide, punish perpetrators, Secretary-General says in observance message, urging universal ratification of convention (SG/SM/19399-L/T/4467-OBV/1850, 7 December 2018): https://www.un.org/press/en/2018/sqsm19399.doc.htm
- Secretary-General, in anniversary message, calls on all states to translate Anti-Genocide Convention into action amid rising hatred, racism, xenophobia (SG/SM/19379-HR/5415-OBV/1846, 30 November 2018): https://www.un.org/press/en/2018/sgsm19379.doc.htm
- Secretary-General, commemorating 1994 Rwanda Genocide, warns of risks posed by escalating xenophobia, racism, human rights abuses (SG/SM/18988-OBV/1787, 13 April 2018): https://www.un.org/press/en/2018/sqsm18988.doc.htm
- Secretary-General urges 'courage to care, resolve to act' against atrocity crimes, in message observing Day of Reflection for 1994 Rwanda Genocide (SG/SM/18970-OBV/1784, 3 April 2018): https://www.un.org/press/en/2018/sqsm18970.doc.htm

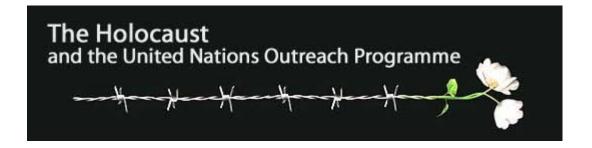
UN Observances

- 7 April International Day of Reflection on the 1994 Genocide against Tutsi in Rwanda: https://www.un.org/en/preventgenocide/rwanda/day-of-reflection.shtml
- 11 July International Day of Reflection and Commemoration of the 1995 Genocide in Srebrenica (A/RES/78/282)
- 9 December International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and of the Prevention of this Crime: https://www.un.org/en/observances/genocide-prevention-day

Further information

- The Outreach Programme on the Rwanda Genocide and the United Nations: http://www.un.org/en/preventgenocide/rwanda/
 - UN News Centre Feature: After two decades, genocide survivor opens up about her anger and 0 forgiveness (1 July 2016): https://news.un.org/en/story/2016/07/533682
- Audiovisual Library of International Law
 - Historic Archives: Convention for the Prevention and Punishment of the Crime of Genocide. Paris, 9 December 1948 / by William A. Schabas: http://legal.un.org/avl/ha/cppcg/cppcg.html
 - Lecture Series: Genocide and International Law / by William A. Schabas: 0
 - http://legal.un.org/avl/ls/Schabas CLP.html International Criminal Law, Part IV The "Core" International Crimes: Crimes Against 0 Humanity and Genocide / by Paola Gaeta: https://legal.un.org/avl/MiniSeries/Gaeta MS.html

- Stories from the UN Archive: The man who defined genocide (7 December 2023): https://news.un.org/en/story/2023/12/1144087
- 'The value of human life is dissipating' (UN News, 14 July 2023): <u>https://news.un.org/en/audio/2023/07/1138702</u>
 Special Adviser to the UN Secretary-General on the Prevention of Genocide, Alice Wairimu Nderitu, sat down with UN News's Sandra Miller to warn against risk factors for atrocity crimes in a rising number of countries, including Sudan, as the brutal conflict between rival militaries continues there.
- Protecting Survivors, Preserving Memory, and Promoting Prevention: combating holocaust and genocide denial; Policy Paper (UN Office on Genocide Prevention and the Responsibility to Protect, 2022): <u>https://digitallibrary.un.org/record/4015528</u>
- PROFILE: Taking a lead against genocide, 'no society is immune' warns Adama Dieng (UN News, 18 August 2020): <u>https://news.un.org/en/story/2020/08/1070402</u>
- CLASSIC PODCAST: The man who defined genocide (UN News, 6 April 2017): https://news.un.org/en/story/2017/04/554902-classic-podcast-man-who-defined-genocide
- Education about the Holocaust and preventing genocide: A policy guide (UNESCO, April 2017): <u>http://unesdoc.unesco.org/images/0024/002480/248071e.pdf</u>
- UNRIC Library Backgrounder Responsibility to Protect: <u>https://unric.org/en/unric-library-backgrounder-r2p</u>



UN Entities

- The Holocaust and the United Nations Outreach Programme: <u>https://www.un.org/en/holocaustremembrance/</u>
- United Nations Educational, Scientific and Cultural Organization (UNESCO) -Teaching about the Holocaust and genocide: <u>https://www.unesco.org/en/teaching-holocaust-genocide</u>

UN Events and Observances

- 27 January International Day of Commemoration in Memory of the Victims of the Holocaust: <u>https://www.un.org/en/holocaustremembrance/observance/</u>
- Roundtable Discussions:
 https://www.un.org/en/holocaustremembrance/roundtable-discussions

UN General Assembly approves resolution condemning Holocaust denial (UN News, 20 January 2022): https://news.un.org/en/story/2022/01/1110202

> A/RES/76/250 Holocaust denial: resolution / adopted by the General Assembly on 20 January 2022 https://undocs.org/A/RES/76/250

Selected Statements and Speeches by UN Officials

- Amid rise in antisemitism, standing up against forces of hate, discrimination more important than ever, Secretary-General Says at Holocaust Memorial Ceremony (SG/SM/22117, 26 January 2024): <u>https://press.un.org/en/2024/sgsm22117.doc.htm</u>
- Mourning death of six million Jews, Secretary-General urges global community to speak out for human rights, never let guard down, in Holocaust Remembrance Day Message (26 January 2024, SG/SM/22119): <u>https://press.un.org/en/2024/sgsm22119.doc.htm</u>
- Saddened by death of Benjamin B. Ferencz, Secretary-General stresses best tribute for Nazi War Crimes Prosecutor is continuing to ensure victims' voices are heard (SG/SM/21758, 10 April 2023): <u>https://press.un.org/en/2023/sgsm21758.doc.htm</u>
- 'Confront falsehoods with facts, ignorance with education, indifference with engagement', Says Secretary-General at Holocaust Remembrance Service (SG/SM/21672, 28 January 2023): https://press.un.org/en/2023/sgsm21672.doc.htm
- Marking International Day, Secretary-General honours 6 million Holocaust victims, stressing 'never again remain silent in the face of evil' (SG/SM/21669, 27 January 2023): <u>https://press.un.org/en/2023/sgsm21669.doc.htm</u>
- Recommit to stand against evil in all its forms, work for world of peace, says Secretary-General at Holocaust Victims' Remembrance Ceremony (SG/SM/21668, 27 January 2023): <u>https://press.un.org/en/2023/sgsm21668.doc.htm</u>
- 'Let us forever keep memory of past alive and never let others forget either,' says Secretary-General at Holocaust Remembrance Event (SG/SM/21667, 26 January 2023): <u>https://press.un.org/en/2023/sgsm21667.doc.htm</u>
- All societies must act to 'tackle antisemitism, root and branch', Secretary-General says in Remarks honouring Holocaust victims (SG/SM/21124, 27 January 2022): <u>https://press.un.org/en/2022/sgsm21124.doc.htm</u>
- Marking International Day Commemorating Holocaust Victims, Secretary-General says 'never forget what happened or let it be forgotten by others' (SG/SM/21123, 26 January 2022): https://press.un.org/en/2022/sgsm21123.doc.htm
- Let us stand firm against hate, bigotry anywhere and everywhere,' Secretary-General tells Holocaust Remembrance Service (SG/SM/21119, 25 January 2022): <u>https://press.un.org/en/2022/sgsm21119.doc.htm</u>
- Secretary-General welcomes General Assembly Resolution rejecting Holocaust denial (SG/SM/21112, 20 January 2022): <u>https://www.un.org/press/en/2022/sgsm21112.doc.htm</u>
- Attempts to 'deny, distort and rewrite' Holocaust history gaining global currency, Secretary-General warns, calling for Facts on International Remembrance Day (SG/SM/20556, 27 January 2021): <u>https://www.un.org/press/en/2021/sgsm20556.doc.htm</u>
- Secretary-General calls for efforts against resurgent xenophobia, marking International Holocaust Victims Remembrance Day (SG/SM/20555, 27 January 2021): <u>https://www.un.org/press/en/2021/sgsm20555.doc.htm</u>
- Rise in Anti-Semitism, white supremacy exacerbated by pandemic, Secretary-General warns at Holocaust Remembrance Service, calling for end to attacks on truth (SG/SM/20553, 25 January 2021): <u>https://www.un.org/press/en/2021/sgsm20553.doc.htm</u>
- Secretary-General spotlights re-emerging crisis of Antisemitism, warning 'We can never lower our guard', at Holocaust Memorial Ceremony (SG/SM/19951, 27 January 2020): <u>https://www.un.org/press/en/2020/sgsm19951.doc.htm</u>
- Secretary-General marks International Day in Memory of Holocaust Victims amid resurgent antisemitism, vowing 'We will never forget' (SG/SM/19950, 27 January 2020): <u>https://www.un.org/press/en/2020/sgsm19950.doc.htm</u>
- 'Never Again' means constant retelling of Holocaust story, Secretary-General stresses at exhibition opening, citing rising antisemitism, other hatreds (SG/SM/19943, 21 January 2020): https://www.un.org/press/en/2020/sgsm19943.doc.htm
- We must teach our children love before others teach them hate, Secretary-General says during Park East Synagogue Holocaust Remembrance Ceremony (SG/SM/19448-OBV/1858, 28 January 2019): <u>https://www.un.org/press/en/2019/sgsm19448.doc.htm</u>
- Pillars of humanity weakened with each broken norm, Secretary-General stresses during United Nations Holocaust Memorial Ceremony (SG/SM/19447-OBV/1857, 28 January 2019): <u>https://www.un.org/press/en/2019/sgsm19447.doc.htm</u>

 Secretary-General urges vigilance against resurgent Anti-Semitism, citing dwindling numbers of Holocaust survivors in Message for International Day (SG/SM/19440-OBV/1856, 23 January 2019): <u>https://www.un.org/press/en/2019/sgsm19440.doc.htm</u>

Further information

• History under attack: Holocaust denial and distortion on social media (UN / UNESCO, 2022): <u>https://unesdoc.unesco.org/ark:/48223/pf0000382159</u>

> 30 May 2024 not an official document - for information only https://unric.org/en/unric-library-backgrounder-genocide/