Statements

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**Message of Mr. Francis Deng, Special Adviser of the United Nations Secretary-General on the Prevention of Genocide on the Sixtieth Anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide, 9 December 2008.**

Preventing genocide, sixty years later

On 9 December 1948 the United Nations adopted the Convention on the Prevention and Punishment of the Crime of Genocide. The term ‘genocide’ was first coined by Rafael Lemkin. It is derived from the Greek word genos, roughly meaning family origin, ancestry, but also species, tribe or race, and the Latin-derived suffix cide – to kill. Lemkin’s vision was to capture in one word this type of murder, and have it recognized as an international crime. In his days massacres were still viewed as actions of a sovereign state, not to be interfered with by international law. The Convention was largely the result of Lemkin’s vision and work.

The Genocide Convention has a very specific focus: it defines the crime as a number of specific acts, including killing with intent to destroy, in whole or in part, a national, ethnic, racial or religious group. It compels signatory states not only to punish, but also to prevent genocide. The Convention stipulates that not only genocide, but also conspiracy to commit genocide, direct and public incitement to genocide, and attempt to commit genocide are punishable as well. It also provides the UN Security Council with a basis to act in order to prevent and suppress genocide.

Punishment requires a legal determination by a court of law as to whether genocide has in fact occurred. The special tribunals established for the Former Yugoslavia and Rwanda did indeed proceed to prosecute the perpetrators of genocide in both places. The International Criminal Court, established in 1998, now has general jurisdiction for the punishment of perpetrators of genocide from countries that recognize the Court’s authority.

As far as prevention is concerned, scholars have repeatedly pointed out that genocide can be predicted, and that ‘early warning’ signs exist, and for instance include hate speech combined with organizing and arming groups. However, many believe that it is impossible to prevent genocide: not because information on the signs of an impending genocide is missing, nor because the UN and others are not aware of them, but because the international community has been reluctant to acknowledge that genocide may occur. Doing so can complicate diplomatic relations, and, more importantly, raise the expectation that something forceful needs to be done by the international community, most notably the Security Council. One of the immense challenges in preventing genocide is precisely that the term itself is so powerful – it is vital that we use it early and firmly when appropriate, but also important that the term not be abused for political or other gain.

The current situation in the Democratic Republic of the Congo is one of many around the world, which requires us to remain constantly vigilant: The conflict in the eastern part of the country takes place in a region with a history of genocide. Atrocities are being committed every day, despite a significant UN peacekeeping presence there.

So how do we, as citizens of the world, break this vicious circle of violence, denial, insufficient response, public outrage at the inaction and impunity?

One thing we can do is to become aware that certain types of behavior, such as portraying certain ethnic or racial or religious groups as unworthy, undesirable, inferior or dangerous amount to playing with fire, a kind of fire that is very difficult to put out once it starts.

The second is for every one to become more alert to the kinds of behavior that foment tensions and spark genocide not only when they affect us, but when they affect others (be it our neighbor or a country far away), and to demand from those in power an early response. Genocidal killings in one neighborhood spill fast to the next one, engulfing not only entire countries, but entire regions. We cannot afford complacency in the twenty-first century.

The third is to continue lending our support and opening our homes to the victims of genocide. If we have failed to prevent terrible things, at least let us do all we can to ensure that as many as possible are saved. Governments have an obligation to protect refugees fleeing genocide and other mass atrocities, but how fully they embrace those obligations depends on ‘public opinion’, that is, on every one of us.

We also must support those who are trying to turn the tide in a country, often at great personal cost. Sometimes we are so occupied with going after the perpetrators that we forget supporting the moderate voices within a government, or the members of civil society who could make a difference, yet are often isolated and weak.

Last but not least, we must demand an end to impunity. We must encourage governments to accept the jurisdiction of the International Criminal Court. Governments must also accede to the Genocide Convention. So far only one hundred and fifty one states (out of the one hundred and ninety two member states of the UN) have done so. Perpetrators of genocide must never be allowed to sleep in peace.

All too often, we talk about genocide long after it has occurred. Yet, clearly genocide is not a thing of the past. We need to acknowledge the cleavages between different ethnic, racial and religious groups when they are deepening – and ensure that we manage differences constructively. Sixty years after the Genocide Convention was adopted, we need to remain vigilant and prepared to stop genocide.