**Genocide**

**What is genocide?**

The Convention on the Prevention and Punishment of the Crime of Genocide (1948) defines genocide (article 2) as “any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group…” including:

1. (a) Killing members of the group;
2. (b) Causing serious bodily or mental harm to members of the group;
3. (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
4. (d) Imposing measures intended to prevent births within the group;
5. (e) Forcibly transferring children of the group to another group.

All such acts are violations of human rights, and may also be crimes against humanity or war crimes, depending on the context in which they were committed. The Convention confirms that genocide, whether committed in time of peace or war, is a crime under international law which parties to the Convention undertake “to prevent and to punish” (article 1). Because it is a part of international customary law the Convention is considered applicable in all countries, irrespective of whether they have signed or ratified it.

**Why does genocide happen?**

Genocide and related atrocities may occur in societies in which different national, racial, ethnic or religious groups become locked in identity-related conflicts. Governments, political parties or groups within society may either incite or exacerbate those conflicts, or fail or deliberately refuse to intercede, and to ensure full equality of all groups. The conflicts rarely emanate from the real or perceived differences among those groups, but from the political and economic inequities associated with those differences. The inequities against a particular group often involve discrimination, marginalization, exclusion, hate speech inciting to violence, and denial of fundamental rights and civil liberties. Gross violations of human rights, such as arbitrary arrest and detention or arbitrary displacement often precede genocide. A history of violence based on race, ethnicity or religion, political unrest and economic upheaval, as well as the existence of a totalitarian or authoritarian regime create an environment where genocide can more readily occur. For genocide to happen a process of singling out a particular group takes place, culminating in violence against the group, which is identified as dangerous, undesirable, unworthy or inferior.

**Why did the Secretary-General appoint a Special Adviser on the Prevention of Genocide?**

Genocide in Rwanda and the Balkans in the 1990s showed in the worst possible way that the United Nations needed to do more to prevent genocide. In 2001, the UN Security Council invited the Secretary-General “to refer to the Council information and analyses within the United Nations system on cases of serious violations of international law” and on “potential conflict situations” arising from “ethnic, religious and territorial disputes” and other related issues. To help respond to the Council’s request, in 2004, the Secretary-General appointed a Special Adviser on the Prevention of Genocide. The first Special Adviser was Juan Mendez. In 2007 Secretary-General Ban ki-Moon appointed Francis Deng as his Special Adviser on a full-time basis and at the level of Under-Secretary-General.

**The role of the United Nations in preventing genocide**

The foundation of the United Nations is closely linked to the desire of the international community to avert horrors such as the ones perpetrated during the Second World War. Through their mandates, operational activities and field presence in most countries, UN agencies, departments and programmes contribute to the prevention of genocide in a variety of ways, including by supporting equitable development, promoting the protection of human rights, providing humanitarian assistance and interceding to ensure peace, security and stability. In particular, the Office of the High Commissioner for Human Rights has the principal responsibility for United Nations human rights activities, including the promotion and protection of all civil, political, economic, social and cultural rights, as well as the coordination of human rights activities throughout the United Nations system. It also services human rights treaty bodies, such as the Committee on the Elimination of Racial Discrimination, and human rights mechanisms, such as the thematic and country rapporteurs, who can provide warnings of the likelihood of genocide and make recommendations. The UN Departments of Political Affairs of Peacekeeping Operations work to ease political crises and threats to peace. Other UN bodies, such as the UN Development Programme, the UN Children’s Fund, the World Food Programme, the United Nations High Commissioner for Refugees, and the United Nations Office for the Coordination of Humanitarian Affairs, help mitigate or even prevent the circumstances that can lead to genocide.

Where genocide does occur, the International Criminal Court, which is separate and independent from the UN, is empowered to investigate and prosecute those most responsible, if a State is unwilling or unable to exercise jurisdiction over alleged perpetrators. Fighting impunity and establishing a credible expectation that the perpetrators of genocide and related crimes will be held accountable, can contribute effectively to a culture of prevention.

Within the specific framework of the genocide prevention mandate, the Special Adviser seeks and receives information relevant to the protection of genocide from all UN bodies, in particular early-warning information, and acts as a catalyst within the UN system, making recommendations for effective prevention responses by the Secretary-General, the Security Council, and other UN partners in a comprehensive system-wide process, and supporting these partners in undertaking preventive action in accordance with their mandates and responsibilities.

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