On Genocide Prevention Day - the Uyghurs need action, not words



Never again has become all too often ... The Convention has failed – it has not prevented genocide.

Today, 9 December 2020, is UN Genocide Prevention Day – the anniversary of the UN's adoption of the Genocide Convention in 1948.

To mark the anniversary, René Cassin Executive Director, Mia Hasenson-Gross made the following statement:

On this day in 1948 the world, having seen the horrors of the atrocities committed by the Nazis, came together to say: "Never again!" when the United Nations adopted the Convention on the Prevention and Punishment of the Crime of Genocide.

Sadly, that fine ambition has been betrayed by subsequent events: Cambodia, Rwanda, Bosnia, Darfur, the Rohingya of Myanmar, and now the Uyghur Muslims in China. Never again has become all too often.

The Convention has failed – it has not prevented genocide. In the words of Lord Hope, former Deputy President of the Supreme Court, speaking in a House of Lords debate in October, the Convention is " ... a deplorably weak instrument for dealing with the challenges we face today ... it is simply not up to the job."

Lord Hope's damning assessment would have been echoed by Raphael Lemkin, the Polish-Jewish lawyer who coined the term 'genocide' and who worked on early drafts of the Convention. Lemkin's concept of genocide went beyond the deliberate killing of a group and included the systematic destruction of culture, language, and religion - the attempt to remove any proof that it ever existed.

However, the final draft defined genocide much more narrowly and set a very high evidential bar for potential prosecutions to clear – meaning that, even if successful, the Convention could only be used in response to genocide, not to prevent it.

But to blame the Convention alone is grossly unfair. It has been suggested that a further flaw is that, once a situation is defined as genocide, the Convention impels states to act, and so those states choose to 'look the other way'. That is shameful and speaks less of the failure of an international treaty than of a deplorable lack of political will to help vulnerable minorities just when they most need protection.

The millions of Uyghurs, currently interned without trial, being used as forced labour or organ donors, being sterilised, and punished for speaking their language or practising their religion, do not need us to quibble over the definition of 'genocide'. They need us look at what is happening to them, condemn it, and act to stop it.

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