

70 Year Old and Relevant: The Genocide Convention

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Raphael Lemkin, the Jewish lawyer who at the end of World War II coined the term “genocide” and brought it to global awareness, understood that atrocities are all the more grievous when based upon race, ethnicity, religion or national origin. The systematic extermination of Jews in the Holocaust was the predominant event that led Lemkin to this understanding, but he was also motivated by other atrocities he had witnessed during his lifetime.

The world commemorates this week the 70th anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide. It was designed to set in stone the well-known proclamation “never again”. The Genocide Convention was passed by the UN on December 9, 1948 and has been ratified to date by approximately 150 states. The Genocide Convention classifies genocide as an international crime and provides that all member states must prevent and punish genocide, its incitement, and any attempt to commit genocide. Israel ratified the treaty in 1950 and enacted the Crime of Genocide (Prevention and Punishment) Law that provides Israel with universal jurisdiction over this crime. Genocide is customarily referred to as “the crime of crimes” because it seeks to wipe out an entire group of people based upon nationality, ethnicity, race or religion. All states are called upon to prevent and punish the perpetrators.

Sadly, the international community has failed in this obligation. Since adoption of the Convention, genocide has occurred before our eyes in various places including Cambodia, Bosnia, Rwanda etc. More recently, the world has stood by passively as genocide has been inflicted upon the Yazidis by ISIS and upon the Rohingya in Myanmar. These are by no means the only examples. We must all live up to our obligation to act to raise awareness of genocide and bring the perpetrators to justice. We have no right to cease such vigilance.

December 9 also commemorates the day of international remembrance honoring the victims of genocide. On this day of reckoning we reflect upon how well we are doing and how we can improve in our fight against hatred and incitement and prevention of consequent violence.

The atrocities of World War II were the catalyst of the Universal Declaration on Human Rights by the United Nations seventy years ago, on December 10, 1948. René Cassin, a leader of the effort and a 1968 Nobel Peace Prize laureate, believed that we must work hard to change the conditions that result from the fact that “men are not always good”. One of the main activities initiated by Cassin for that purpose was the establishment of the International Association of Jewish Lawyers and Jurists (IAJLJ) in 1969. The IAJLJ is dedicated to fighting antisemitism and human rights violations by various legal means, including appearances before UN bodies and petitioning before relevant courts and tribunals around the globe.

Seventy years after the Genocide Treaty and the Universal Declaration on Human Rights, antisemitism has not abated. Hatred of foreigners and minorities runs rampant worldwide and we are hearing an increasing chorus of calls against Jews, Muslims, refugees, as well as against other minorities. We must not stand idly by while this transpires. According to the FBI Annual Report for 2017, there was a 17% increase in hate crimes over the previous year 2016. Recently in October we experienced in Pittsburgh the worst single anti-Semitic act in United States history. The situation in Europe is far worse. In the midst of such trying times we must not put our heads in the sand.

Lemkin died in 1959 but lived to see his vision of prevention of genocide codified in the Genocide Convention. His gravestone in New York bears the title "Father of the Genocide Convention". The IAJLJ sees itself as a troop of combatants in the ongoing battle against anti-Semitism, crimes against humanity, war crimes, racism, xenophobia, and holocaust denial. Through our actions we continue down the path begun by Raphael Lemkin and René Cassin.

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