Genocide

The drafting of the Universal Declaration of Human Rights was in part a reaction to the horrors of the Holocaust. The urge to prevent genocide is thus one of the central elements of the modern human rights movement.

Which atrocities may legitimately be considered as “genocide” is frequently a matter of dispute. Defining an ongoing conflict as genocidal places a legal obligation on the UN to take action and is thus a heavily politicized issue. Defining a prior conflict as genocidal has implications for relations between states and the claims of victims’ descendants to reparations.

Holocaust denial is illegal in 10 European countries, including Austria, France, Germany and Poland. By contrast, in Turkey it is illegal to claim that the death of 1.5 million Armenians in 1914–18 was an act of genocide.

What the law says...

Genocide refers to any of the following acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group, including: (a) killing members of the group, (b) causing serious bodily or mental harm to members of the group, (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, (d) imposing measures intended to prevent births within the group, (e) forcibly transferring children of the group to another group.

UN Convention on the Prevention and Punishment of the Crime of Genocide, Article 2

Areas of Concern

Countries experiencing systematic mass killing and atrocities that could develop into genocide

20th-century Genocides

1914–18

1.5m Armenians, victims of Ottoman Turkey

1932–33

3m Ukrainians, victims of Stalin’s Soviet Union

1941

3m Chinese in Nanjing, victims of Japanese Imperial Army

1945

6m Jews, victims of Nazi Germany

1971–72

300,000 Chinese in Nanjing, victims of Japanese Imperial Army

1972

200,000 Serbs, Jews and Roma in the Balkans, victims of the Croatian Ustache

1986

200,000 Mayan Indians, victims of Guatemalan government forces

1989

3m Bangladeshis, victims of Pakistan forces in what was then East Pakistan

1991–92

100,000 Hutus, victims of the Tutsi-dominated Burundi regime

1994

3m Cambodians, victims of Pol Pot’s Khmer Rouge regime

1995

300,000 East Timorese, victims of political repression

1996

200,000 Kurds, victims of Saddam Hussein’s campaign against Kurds in Iraq

1998

50,000 Tuats, victims of Hutu-dominated Burundi regime

1999

800,000 mostly Tuats, victims of Hutu massacres in Rwanda

2001

8,000 Bosnian Muslims, killed in Srebrenica by Serb forces

2002

Areas of Concern

Countries experiencing systematic mass killing and atrocities that could develop into genocide

2009

ISRAEL and PALESTINIAN TERRITORIES Thousands of civilians have died in the decades-long conflict between Palestinian militia groups and the Israeli army, either deliberately or as “collateral damage” in the targeting of military opponents.

IRAQ The sectarian violence that erupted following the fall of Saddam Hussein’s regime in 2003 has resulted in the death of nearly 100,000 civilians, the majority of them deliberately targeted by opposing religious factions.

AFGHANISTAN Civilians have been dying as a result of conflict in the country for decades, but since 2001 thousands have been killed by Taliban action, or as the result of military action by NATO forces.

CHAD Since 2005, Sudan-backed militias have killed thousands of Zakawbas and Fur.

AFGHANISTAN Civilians have been dying as a result of conflict in the country for decades, but since 2001 thousands have been killed by Taliban action, or as the result of military action by NATO forces.

SOMALIA The effective disintegration of the state has left civilians unprotected against the atrocities inflicted on them by armed groups and criminal gangs.

SUDAN Since 2004 government-backed Arab militia, the Janjaweed, have waged war on ethnic Africans in the region of Darfur, killing at least 400,000 and driving hundreds of thousands more from their homes to live in makeshift shelters or refugee camps. Although the USA has declared this to be a campaign of genocide, the UN has declined to classify it as such on the basis of a 2005 report that concluded that genocidal intent was lacking.

SRI LANKA The civil war between Tamil Tiger rebels and the Sri Lankan government army ended in 2009 with the defeat of the rebels. During the conflict, atrocities were committed against civilians by both sides. Communities were devastated – their inhabitants killed or driven out, the buildings destroyed and the fields strewn with unexploded ordnance. Thousands of people simply disappeared.

Burma The military junta is ruthless in its oppression of ethnic minority groups, political opponents and Buddhist monks. The refusal of the government to allow international aid agencies to enter the country following Cyclone Nargis in 2008 led to the unnecessary deaths of untold thousands of civilians.

Civilians

...in the 20th century

72.5 million deaths resulted from genocides...
Refugees, IDPs & Stateless

Refugees and IDPs are a barometer of political instability and continuing systematic persecution. Their prevalence and geographical origin and distribution bears witness to the dramatically different conditions experienced by populations of industrialized and developing countries.

Refugees and internally displaced people (IDPs) are those forced to leave their homes or country as a result of armed conflict, political repression, persecution and systematic discrimination. Refugees are defined as those seeking political refuge and asylum outside their country of nationality, whereas IDPs have remained within their country of residence.

Worldwide, there are an estimated 15 million stateless people – those not recognized as citizens by any national authority. Typically, only citizens are able to access their fundamental rights, and the rights of stateless people are therefore in permanent jeopardy. According to the UNHCR, statelessness has several distinct causes, including discrimination against minority groups in nationality legislation, failure to include all residents in the body of citizens when a state becomes independent (state succession), and conflicts of laws between states.

The fundamental obstacles to achieving genuinely durable solutions to this particular human rights concern are continuing political instability and discrimination in those countries producing the highest numbers of refugees and IDPs and stateless peoples.

What the law says...
The term “refugee” shall apply to any person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country.

UN Convention Relating to the Status of Refugees, 1951, Article 1
The populations of few, if any, countries comprise a homogenous community. Minorities exist in almost all countries, and many suffer persecution, oppression and systematic discrimination.

One of the worst ongoing campaigns violating the rights of a minority is taking place in the Darfur region of Sudan, where Black African Muslims are being targeted by government-backed Arab Janjaweed militia. In 2004, the US government described this as constituting a form of genocide. Burma’s military regime is also conducting systematic campaigns against at least four ethnic communities: the Karen, the Mons, the ShanS, the Rohingya, and the Zomis.

Minority rights violations are not restricted to conflict-ridden, politically unstable regions of the world. The Roma have long been subject to conditions of discrimination and inequality within the borders of the European Union. Similarly, ethnic Koreans continue to experience discrimination and formal inequality within Japan. Many indigenous communities in North America and Australasia also argue that the conditions they face constitute a severe violation of their right to maintain their distinctive traditions and cultures.

Amidst the wealth and infrastructural development of countries such as Australia, Canada, New Zealand and the USA are to be found indigenous communities with mortality and morbidity statistics which, in some cases, rival those found in Sub-Saharan Africa.

Protection

Human rights instruments intended to protect ethnic, national, religious, indigenous or linguistic minorities

**Discrimination**

**Threatened Cultures**

Selected examples

2009

**AUSTRALIA**
The Aboriginal communities have experienced consistent discrimination for many decades. This has involved the loss of tribal lands, the forced removal of children, and levels of educational and health facilities below those of other Australians. In 2006, the average life expectancy of Aboriginal males was 56 years, compared with 77 years for all Australian males.

**SAUDI ARABIA**
The Shi’a Muslims are the largest minority group, and are viewed by the Saudi regime as potentially subversive. They have no rights to free expression, face employment discrimination and officially sanctioned religious discrimination. Numerous Shi’a clerics have been detained and held without charge or access to legal representation.

**CROATIA, GREECE, ITALY**
The Roma people have been subject to consistent discrimination by public officials, and are the target of public protest. In Italy, a decree law was introduced in 2008 that allowed authorities to expel EU citizens on grounds of public security. Within two weeks of its introduction, 177 Romanian citizens of Roma origin had been expelled.

**BURMA**
The Karen occupy an area along the Burma–Thailand border. They are a distinct, although heterogeneous, ethnic community that has suffered long-standing repression. Some sections of the community have been engaged in armed conflict with the Burmese military since 1949 in an attempt to secure independence.
Over 190 million children aged between 5 and 14 years are estimated to be employed in some form of economic activity. The vast majority work in the agricultural sector, and child labour is generally much higher in rural areas than in urban ones. Often, children will be working not for wages but simply to help the family survive: collecting water, keeping watch over precious livestock, and producing and preparing food.

International human rights law does not specifically forbid children from working, but aims to protect them from employment that adversely affects their human rights. An estimated 126 million children are involved in some form of hazardous labour, such as working in mines, factories and construction projects, and operating machinery, where they run the risk of chronic illness, blindness, of losing their limbs or even their life.

Family poverty is the fundamental reason why many children are compelled to earn money, but as well as damaging children’s health and physical development, work adversely affects their social development. They are usually unable to attend school and are therefore denied the opportunity to break out of the grip of the poverty to which they are otherwise condemned.

While the number of working children appears to be gradually declining, the continuing extent to which many industries employ large numbers of children under terms and conditions that are significantly worse than those of their adult counterparts constitutes harmful exploitation of those caught up in this part of the global economic system.

What the law says...

States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development.

Convention on the Rights of the Child, 1989, Article 32
Child Soldiers

There are an estimated 300,000 soldiers under the age of 18, waging war across the world. Some children wield assault rifles, machetes, or rocket-propelled grenades on the front lines. Others are used in "combat support" roles, as messengers, spies, cooks, mine-cleaners, porters and sexual slaves. It is not uncommon for them to participate in killing and raping.

Child soldiers in the militias of warlords, insurgency groups and rebel forces tend to be between the ages of 14 and 17, but some as young as seven have been recorded. Boys and girls are "recruited" through a variety of methods. Sometimes parents offer their children as a means of combating poverty, or children may offer to fight in the hope of protecting themselves and their families from warring parties, or because they identify with a particular warring cause. In many cases, however, children are simply kidnapped by forces as they pass through villages and communities. The ex-President of Liberia, Charles Taylor, was tried in the International Court of Human Rights in The Hague for, among other atrocities, recruiting child soldiers.

The Optional Protocol on the involvement of children in armed conflict entered into force in 2002, and by 2009 had been ratified by 128 countries. It prohibits the compulsory recruitment, or deployment in hostilities, of soldiers under the age of 18. The USA and UK military forces recruit from the age of 17 years, but since signing the Optional Protocol have taken steps to prevent under-18s being sent to conflict zones. In 2009, Rifleman William Aldridge was deployed by the British army to Afghanistan three days after his 18th birthday, and was killed 45 days later.

Children of Violence

Here are countries where under-18s were recruited or used in hostilities. 2004–07

![Map of Children of Violence](image)

ISRAEL and PALESTINIAN TERRITORIES Children are involved on both sides. Israeli children have been used by extreme settler movements in violent activities. The Israeli military are alleged to have used Palestinian children as shields, and have arrested and interrogated thousands of teenagers, such as 14-year-old Abdel Al-Rahman Ahmadbite, usually for throwing stones.

NEPAL During the 10-year Maoists’ People’s War against the Nepalese monarchy, children were enlisted on both sides, but following the peace agreement of 2006 steps were taken to rescue and rehabilitate them, with the help of UN agencies.

COLOMBIA

Children of Violence

Ex-Child Soldiers Speak

"It disturbs me so much that I inflicted death on other people. When I go home I must do some traditional rites ... and cleanse myself. I still dream about the boy from my village that I killed ... He is talking to me, saying I killed him for nothing, and I am crying."

A 16-year-old girl after demobilization from an armed group

"Being new, I couldn’t perform the very difficult exercises properly and so I was beaten every morning. Two of my friends died because of the beatings. The soldiers buried them in the latrines. I am still thinking of them."

Former child soldier

COLOMBIA

Children are used by armed opposition groups as combatants and mine layers. If captured, they may be interrogated by government forces. Others, like this 13-year-old, who has reputedly killed five people, are also used as hired assassins in disputes between paramilitary groups and drug dealers.

CHAD

Children have been recruited by the government from refugee camps along its eastern border for use as border guards. Despite an agreement to demobilize child soldiers, up to 10,000 were estimated to remain in government and militia forces in 2007.

CENTRAL AFRICAN REPUBLIC

Child soldiers were used by both sides in a dispute that broke out between two armed groups in 2005, including this child, sporting an AC Milan football shirt.

DEMOCRATIC REPUBLIC OF THE CONGO At least 7,000 child soldiers are involved in the conflicts that continue to erupt in the east of the country. Most have horrific accounts of their brutal and brutalizing training.

BURMA

Thousands of children are used as soldiers in the ongoing disputes between the government and ethnic groups fighting for independence. These children are part of the Karenni Army guerrillas.