

The Coalition for Genocide Response welcomes this Intersessional Meeting on the prevention of genocide, and the discussion on strengthening national capacities for the prevention of genocide.

States have a duty to prevent genocide. According to the International Court of Justice, this duty is to be triggered when the State ‘learns of, or should normally have learned of, the existence of a serious risk that genocide will be committed.’ This means that State must have effective monitoring, analysis and determination mechanisms in place. There should be no question about that. Where States do not have such monitoring, analysis and determination mechanisms, they may easily rely on the argument of the lack of relevant knowledge, and so evade their responsibility to act. This is contrary to the duty to prevent and the spirit of the UN Convention on the Prevention and Punishment of the Crime of Genocide (the Genocide Convention).

One example of a pro-active approach to the issue is the Genocide Determination Bill, and most recently, the Genocide Amendment to the Trade Bill, introduced by Lord Alton of Liverpool in the UK, that aim to give the power to the High Court to hear cases and make interim determination of genocide. Such a domestic judicial mechanism can help to address the issue of politicisation of genocide determinations, as we have seen in the past in a number of states. It would enable a neutral arbiter to consider the case. Subsequently this determination would be used by the State to inform its responses. This is just one example of a pro-active approach to the issue.

We must bridge the gap between the duties under the Genocide Convention and their realisation. This bridge includes states introducing comprehensive monitoring and assessment mechanisms. This also includes states taking ownership over their genocide determinations and using such a determination to inform their responses. In a world where genocide still occurs, despite the promises of Never Again, inaction is not an option. We need to ensure that we are equipped to prevent genocide as the cost of allowing it is too great: it is the cost of lives and it is also the cost of our humanity. Thank you for your attention.

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